

bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8784. Also, petition of the president and 40 members of the Women's Missionary Society of the Presbyterian Church, Grand Junction, Colo., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8785. Also, petition of the president and 25 members of the Busy Women's Bible Class, Presbyterian Church, Grand Junction, Colo., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8786. Also, petition of the Fiske Auxiliary of the Presbyterian Church, 30 members, Grand Junction, Colo., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8787. By Mr. SWING: Petition of 19 members of the men's Bible class of Calvary Presbyterian Church, Riverside, Calif., protesting against the Lankford Sunday bill (H. R. 78); to the Committee on the District of Columbia.

8788. By Mr. THURSTON: Petition of the pastor, trustees, and 12 members of the Bedford Baptist Church, Bedford, Iowa, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8789. Also, petition of the chairman of official board and 300 members of the Methodist Episcopal Church, Bedford, Iowa, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8790. Also, petition of 49 members of the Presbyterian Church, Bedford, Iowa, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8791. By Mr. WARREN: Petition of 73 citizens of the first district of North Carolina, earnestly petitioning Congress to enact into law the Lankford Sunday rest bill for the District of Columbia (H. R. 78), or similar measures; to the Committee on the District of Columbia.

8792. Also petition of the Woman's Auxiliary of the First Presbyterian Church, 125 members, to enact into law the Lankford Sunday rest bill for the District of Columbia (H. R. 78), or similar measures; to the Committee on the District of Columbia.

8793. Also, petition of the Addisco Club, 24 members, of the first district of North Carolina, earnestly petitioning Congress to enact into law the Lankford Sunday rest bill for the District of Columbia (H. R. 78), or similar measures; to the Committee on the District of Columbia.

8794. Also, petition of the students of the Washington Colored Public School, 790 present, and bearing the signature of the principal, P. S. Jones, located at Washington City, N. C., in behalf of the passage of the Lankford Sunday rest bill for the District of Columbia; to the Committee on the District of Columbia.

8795. Also, petition of the students of Washington City School, 522 present, Washington City, N. C., in behalf of the passage of the Lankford Sunday rest bill for the District of Columbia.

8796. By Mr. WASON: Petition of Charles J. Corriveau and 35 other residents of Berlin, N. H., requesting no change be made in the present tariff on hides and leather used in the manufacture of shoes; to the Committee on Ways and Means.

8797. By Mr. WELCH of California: Petition of William H. Metson, representing Mono County, Calif., advocating increased tariff on sodium sulphate; to the Committee on Ways and Means.

8798. Also, memorial of the California Gold and Silversmiths Association, advocating a reduction of the tariff rates on diamonds and other precious stones to 10 per cent and the admission of rough diamonds free of duty; to the Committee on Ways and Means.

8799. By Mr. WOODRUM: Petition of the members (2,000 present) of the Christian Church of Roanoke, Va., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven,

as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8800. Also, petition of the Melrose Baptist Church, Roanoke, Va., with 1,000 members present, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8801. Also, petition of the Christian Church of Roanoke, Va., 225 members present, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8802. By Mr. WYANT: Petition of 146 members of the Pine Run Presbyterian Church, Pine Run, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8803. Also, petition of 27 citizens of Monessen, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

## SENATE

FRIDAY, February 8, 1929

(Legislative day of Thursday, February 7, 1929)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

### MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1347. An act to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, as amended;

S. 2792. An act reinvesting title to certain lands in the Yankton Sioux Tribe of Indians;

S. 4338. An act to authorize the President to award, in the name of Congress, gold medals of appropriate design to John H. Towers, Albert C. Read, Elmer F. Stone, Walter Hinton, H. C. Rodd, J. L. Breese, and Eugene Rhodes;

S. 5146. An act to reserve certain lands on the public domain in Santa Fe County, N. Mex., for the use and benefit of the Indians of the San Ildefonso Pueblo;

S. 5147. An act to reserve 920 acres on the public domain for the use and benefit of the Kanosh Band of Indians residing in the vicinity of Kanosh, Utah;

S. 5180. An act to authorize the payment of interest on certain funds held in trust by the United States for Indian tribes;

H. R. 11526. An act to authorize the construction of certain naval vessels, and for other purposes;

H. R. 15657. An act to provide for the improvement and preservation of the land and buildings of the Abraham Lincoln National Park or Reservation; and

H. R. 16208. An act authorizing the Cedar Point Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the southeast arm of Sandusky Bay at or near Sandusky, Ohio.

### CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Caraway	Goff	Keyes
Barkley	Copeland	Gould	King
Bayard	Couzens	Greene	McKellar
Bingham	Curtis	Hale	McMaster
Black	Deneen	Harris	McNary
Blaine	Dill	Harrison	Mayfield
Bleese	Edge	Hastings	Neely
Borah	Fess	Hawes	Norbeck
Bratton	Frazier	Hayden	Norris
Brookhart	George	Heflin	Oddie
Bruce	Gerry	Johnson	Overman
Burton	Glass	Jones	Phipps
Capper	Glenn	Kendrick	Pine

Pittman	Sheppard	Swanson	Walsh, Mass.
Ransdell	Shipstead	Thomas, Idaho	Walsh, Mont.
Reed, Mo.	Shortridge	Thomas, Okla.	Warren
Reed, Pa.	Simmons	Trammell	Waterman
Robinson, Ark.	Smith	Tydings	Watson
Robinson, Ind.	Steck	Tyson	Wheeler
Sackett	Stelwer	Vandenberg	
Schall	Stephens	Wagner	

Mr. BLAINE. My colleague [Mr. LA FOLLETTE] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. FRAZIER. My colleague the junior Senator from North Dakota [Mr. NYE] is still detained at home by illness. I wish to let this announcement stand for the day.

Mr. JONES. The Senator from Rhode Island [Mr. METCALF] is detained at home by illness. I ask that this announcement may stand for the day.

Mr. NORRIS. I desire to announce the absence of the junior Senator from Nebraska [Mr. HOWELL] on account of illness.

Mr. TRAMMELL. I wish to announce that my colleague the senior Senator from Florida [Mr. FLETCHER] is unavoidably detained from the Senate.

The PRESIDING OFFICER (Mr. McNARY in the chair). Eighty-two Senators having answered to their names, a quorum is present.

#### PETITIONS AND MEMORIALS

Mr. ROBINSON of Arkansas presented a letter in the nature of a memorial from H. V. Beasley, of Texarkana, Ark.-Tex., remonstrating against the passage of House bill 13452, increasing the copyright royalty on talking-machine records, etc., which was referred to the Committee on Patents.

Mr. BURTON presented petitions of sundry citizens of Barnesville, Quaker City, Cleveland, Lakewood, Northfield, Chagrin Falls, Salem, and Garfield, all in the State of Ohio, praying that action be deferred on the enactment of the cruiser construction bill, which were ordered to lie on the table.

Mr. FESS presented the following resolutions adopted by the Ohio State Senate, which were referred to the Committee on Civil Service:

#### EIGHTY-EIGHTH GENERAL ASSEMBLY, REGULAR SESSION, 1929.

A resolution (by Mr. Shafer) memorializing the United States Senate Civil Service Investigating Committee in behalf of Ohio's quota of positions in the Federal service at Washington

Whereas Ohio's quota of positions in the Federal service at Washington, as allowed by law, is 1,910, while on March 24, 1928, there were only 937 positions filled by residents of Ohio, while on June 20, 1919, there were 2,154 positions filled by Ohioans, or a reduction of 1,217 in less than nine years; and

Whereas the quota of Federal positions of residents of the District of Columbia, as allowed by law, is 145, while on March 24, 1928, there were 12,620 residents of the District of Columbia in the Federal service; and

Whereas, in addition to the District of Columbia, the legal quota of the State of Maryland is 480, while 2,318 residents of that State were on the Federal pay roll on March 24, 1928; and while the legal quota of the State of Virginia is 765, there were 2,477 positions in the Federal service held by residents of Virginia; and

Whereas on July 1, 1919, 26 States had more than their quotas, but on March 24, 1928, none of them had their quotas, due to reductions of force, while during the same period appointments from the District of Columbia have more than doubled; and

Whereas from July 16, 1927, to March 24, 1928, the District of Columbia received 1,966 appointments; and

Whereas, if the increase for the District of Columbia continues at that rate, in less than 10 years it will have all the appointments: Therefore

Resolved, That the Ohio Senate shall go on record as protesting against this unfair discrimination in the apportionment of civil-service appointees in favor of the District of Columbia, of Maryland, and of Virginia as against all the other States of the Union; and

Resolved further, That a copy of this resolution be forwarded to Senator PORTER H. DALE, chairman of the Senate Civil Service Investigating Committee, Washington, D. C., and to Hon. SIMON D. FESS and to Hon. THEODORE E. BURTON, United States Senators from Ohio.

#### REPORTS OF COMMITTEES

Mr. BRATTON, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 12322) to quiet title and possession with respect to certain lands in Faulkner County, Ark. (Rept. No. 1665); and

A bill (H. R. 15328) to authorize the exchange of 18 sections of Government land for an equal value of State land located in Box Elder County, Utah, for experiments in sheep growing, and for other purposes (Rept. No. 1676).

Mr. ASHURST, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 15732) making an additional grant of lands for a miners' hospital for disabled miners in the State of Utah, and for other purposes, reported it with amendments and submitted a report (No. 1678) thereon.

Mr. WATERMAN, from the Committee on Naval Affairs, to which was referred the bill (H. R. 10015) authorizing the promotion on the retired list of the Navy of Herschel Paul Cook, lieutenant, junior grade, reported it without amendment and submitted a report (No. 1666) thereon.

He also, from the same committee, to which was referred the bill (H. R. 13795) for recognition of meritorious service performed by Lieut. Commander Edward Ellsberg, Lieut. Henry Hartley, and Boatswain Richard E. Hawes, reported it with an amendment and submitted a report (No. 1667) thereon.

Mr. WALSH of Massachusetts, from the Committee on Naval Affairs, to which was referred the bill (H. R. 7244) for the relief of Mary Martin Harrison, reported it with an amendment and submitted a report (No. 1673) thereon.

Mr. BLACK, from the Committee on Claims, to which was referred the bill (H. R. 4258) to authorize credit in the disbursing accounts of certain officers of the Army of the United States and for the settlement of individual claims approved by the War Department, reported it with amendments and submitted a report (No. 1668) thereon.

He also, from the same committee, to which was referred the bill (S. 5221) for the relief of Cary Dawson, reported it without amendment and submitted a report (No. 1669) thereon.

Mr. STEPHENS, from the Committee on Claims, to which was referred the bill (H. R. 4776) for the relief of Dr. Stanley R. Teachout, reported it without amendment and submitted a report (No. 1670) thereon.

Mr. BAYARD, from the Committee on Claims, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (H. R. 11698) conferring jurisdiction upon certain courts of the United States to hear and determine the claim by the owner of the steamship *W. I. Radcliffe* against the United States, and for other purposes (Rept. No. 1671); and

A bill (H. R. 11699) conferring jurisdiction upon the United States Court for the Southern District of New York to hear and determine the claim of the owner of the French auxiliary bark *Quevilly* against the United States, and for other purposes (Rept. No. 1672).

Mr. CARAWAY, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 4815) for the relief of members of the crew of the transport *Antilles* (Rept. No. 1674); and

A bill (H. R. 9659) for the relief of F. R. Barthold (Rept. No. 1675).

Mr. ROBINSON of Indiana, from the Committee on Pensions, to which was referred the bill (H. R. 16500) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 1677) thereon.

Mr. EDGE, from the Committee on Banking and Currency, to which was referred the bill (S. 4577) to amend section 29 of the Federal farm loan act, and for other purposes, reported it without amendment and submitted a report (No. 1681) thereon.

Mr. GLASS, from the Committee on Banking and Currency, to which was referred the bill (S. 5684) to amend the War Finance Corporation act, approved April 5, 1918, as amended, to provide for the liquidation of the assets and the winding up of the affairs of the War Finance Corporation after April 4, 1929, and for other purposes, reported it without amendment and submitted a report (No. 1680) thereon.

#### HARRIMAN GEOGRAPHIC CODE SYSTEM

Mr. BINGHAM, from the Select Joint Committee on the Harriman Geographic Code System, submitted the views of the minority, which were ordered to be printed as part 2 of Report No. 1655.

#### FEDERAL RESERVE BANK, DALLAS, TEX.

Mr. GLASS. From the Committee on Banking and Currency I submit a report on Senate Resolution 152, which I ask may lie on the table and be printed in the RECORD.

There being no objection, the report was ordered to lie on the table and to be printed in the RECORD, as follows:

Pursuant to Senate Resolution 152, Mr. MAYFIELD, patron, passed February 24, 1928, directing the Committee on Banking and Currency, or a duly authorized subcommittee thereof, to make a full and complete investigation of the administration of the affairs of the Federal Re-



serve Bank of Dallas, Tex., responsive to charges that the affairs of the said bank had been maladministered and that the governor of the institution had failed to cooperate with the member banks of the eleventh Federal reserve district, the chairman of the Senate Committee on Banking and Currency appointed Messrs. GLASS, SACKETT, and STREIWER as a subcommittee to make such investigation.

At the outset the subcommittee found that there had been an apparently exhaustive investigation of the charges in question by the board of directors of the Federal reserve bank at Dallas in December, 1927, on which occasion public hearings were had and testimony given covering some thousand printed pages. A comprehensive digest of this testimony, covering 150 pages, was furnished the subcommittee, after which prompt notice was given of the readiness of the committee to hear additional testimony not included in the evidence taken by the board of directors of the Dallas bank. It seemed to the committee that it would be futile to have a repetition of the testimony given over a considerable period of time by scores of witnesses in the eleventh Federal reserve district, all of which testimony was available in printed form.

In response to the expressed readiness of the subcommittee to hear additional testimony there came an urgent request from the patron of Senate Resolution 152 to have the committee go to Dallas, Tex., for such additional hearings as the circumstances might seem to justify. The committee did not deem it either necessary or desirable to pursue this course, whereupon repeated requests were made that the chairman of the subcommittee be authorized to go to Dallas and take evidence in the case.

This latter course was decided upon; and, accordingly, the chairman of the subcommittee, as of date June 15, 1928, sent the following dispatch to the governor of the Federal reserve bank at Dallas:

Gov. LYNN P. TALLEY,

*Federal Reserve Bank, Dallas, Tex.:*

Please notify member banks of Dallas Federal reserve district that, as chairman of a subcommittee of the Banking and Currency Committee of the United States Senate, I shall go to Dallas immediately upon adjournment of convention at Houston to receive any documentary evidence or to hear any oral testimony from persons who may desire to prefer charges of mismanagement or maladministration against the governor or board of directors of the Federal reserve bank at Dallas. Have it distinctly understood that there will be no repetition of the testimony given before the board of directors of the Dallas bank. Only new and additional testimony will be received, as the Senate subcommittee does not care to have a rehearsal of testimony already given. Please engage the services of a competent stenographer to take any testimony offered and acknowledge this communication.

CARTER GLASS.

To the foregoing telegram the following response was received on the same date:

DALLAS, TEX., June 15, 1928.

Hon. CARTER GLASS,

*Care Senate, Washington, D. C.:*

As requested in your telegram of this date I will immediately notify member banks this district of your visit to Dallas and its purposes. I would appreciate telegraphic authority from you to quote your telegram in the notice. If there are any further arrangements which we could make in your behalf please advise us.

LYNN P. TALLEY, Governor.

In furtherance of this arrangement the governor of the Federal reserve bank at Dallas mailed to all member banks in the eleventh reserve district a circular letter notifying them of the appointed hearing of charges affecting the administration of the Federal reserve bank and the chairman of the subcommittee proceeded to Texas with a view to receiving the testimony of such member banks or responsible persons as might desire to be heard concerning the administration of the Federal Reserve Bank of Dallas, where a competent stenographic reporter had been directed to hold himself in readiness to take testimony. While at Houston the chairman of the subcommittee received a dispatch from the governor of the Federal reserve bank as follows:

DALLAS, TEX., June 28, 1928.

Hon. CARTER GLASS,

*Care Rice Hotel, Houston, Tex.:*

As requested in your telegram of June 18 and in connection with my circular letter of like date to all member banks of this reserve district, I have to advise that up to date no replies have been received signifying a desire to be heard upon the occasion of your visit to Dallas. When you are able to advise date of your arrival I shall be glad to reserve accommodations for you.

LYNN P. TALLEY, Governor.

No member bank or responsible person having responded to the invitation to be heard in respect of the charges of alleged mismanagement and arbitrary actions of the governor of the Dallas bank, the chairman of the subcommittee wired Governor Talley as follows:

Hon. LYNN P. TALLEY,

*Governor Federal Reserve Bank, Dallas, Tex.:*

In view of the fact that no member bank of the Dallas Federal reserve district has signified any desire to prefer charges of mismanagement or maladministration against the governor or the board of directors of the Dallas Federal Reserve Bank or any desire to be heard by the Subcommittee of the Banking and Currency Committee of the United States Senate empowered to investigate charges and to hear testimony, there seems to be no necessity for me to come to Dallas. Therefore, I am returning to Virginia to-night.

CARTER GLASS.

It should be stated that the officials of the Federal Reserve Bank of Dallas not only evinced entire willingness, but an obvious eagerness, for the proposed investigation of the bank's affairs and its relations with member banks of that Federal reserve district; and it should further be stated that information derived from authentic supervisory sources fully justifies the statement that, at the time of the proposed hearing at Dallas, the Federal reserve bank there and the member banks of the entire eleventh Federal reserve district were in a more satisfactory condition and in a better state to meet the credit requirements of the district than ever before since the Federal reserve system was instituted.

#### ENROLLED BILLS PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on this calendar day that committee presented to the President of the United States the following enrolled bills:

S. 1347. An act to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, as amended;

S. 2792. An act reinvesting title to certain lands in the Yankton Sioux Tribe of Indians;

S. 4338. An act to authorize the President to award, in the name of Congress, gold medals of appropriate design to John H. Towers, Albert C. Read, Elmer F. Stone, Walter Hinton, H. C. Rodd, J. L. Breese, and Eugene Rhodes;

S. 5146. An act to reserve certain lands on the public domain in Santa Fe County, N. Mex., for the use and benefit of the Indians of the San Ildefonso Pueblo;

S. 5147. An act to reserve 920 acres on the public domain for the use and benefit of the Kanosh Band of Indians residing in the vicinity of Kanosh, Utah; and

S. 5180. An act to authorize the payment of interest on certain funds held in trust by the United States for Indian tribes.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BINGHAM:

A bill (S. 5738) to approve, ratify, and confirm an act of the Philippine Legislature entitled "An act amending the corporation law, Act No. 1459, as amended, and for other purposes," enacted November 8, 1928, approved by the Governor General of the Philippine Islands December 3, 1928; to the Committee on Territories and Insular Possessions.

By Mr. ROBINSON of Arkansas:

A bill (S. 5739) to amend section 7 of the Public Act No. 391, Seventieth Congress, approved May 15, 1928; to the Committee on Commerce.

By Mr. TRAMMELL (for Mr. FLETCHER):

A bill (S. 5740) to legalize a bridge across St. Johns River, 2½ miles southeast of Green Cove Springs, Fla.; to the Committee on Commerce.

By Mr. CAPPER:

A bill (S. 5741) granting an increase of pension to Alice M. Rhodes (with accompanying papers); to the Committee on Pensions.

By Mr. BURTON:

A bill (S. 5742) granting an increase of pension to Frank H. Bruce; to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 5743) authorizing an appropriation of \$50,000 for the purchase of seed, feed, and fertilizer to be supplied to farmers in the flooded sections of Orange County, N. Y., and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. REED of Pennsylvania:

A bill (S. 5744) to authorize the maintenance of post exchanges and educational and recreational facilities at military posts and stations; and

A bill (S. 5745) to authorize appropriations for the Army Transport Service; to the Committee on Military Affairs.

A bill (S. 5746) to legalize the sewer outlet in the Allegheny River at Thirty-second Street, Pittsburgh, Pa.; to the Committee on Commerce.

By Mr. JOHNSON:

A bill (S. 5747) granting a pension to Walter L. Harmon (with accompanying papers); to the Committee on Pensions.

By Mr. EDGE:

A bill (S. 5748) authorizing the United States Shipping Board to sell or lease certain property to the mayor and council of the city of Hoboken, State of New Jersey; to the Committee on Commerce.

By Mr. BINGHAM:

A bill (S. 5749) authorizing the presentation of the distinguished flying cross to Capt. Benjamin Mendez; to the Committee on Military Affairs.

#### CHANGE OF REFERENCE

On motion of Mr. REED of Pennsylvania, the Committee on Military Affairs was discharged from the further consideration of the bill (H. R. 9453) for the relief of Tracy Lee Phillips, and it was referred to the Committee on Naval Affairs.

#### VOCATIONAL REHABILITATION OF DISABLED RESIDENTS OF THE DISTRICT

Mr. COUZENS submitted an amendment intended to be proposed by him to the bill (H. R. 13251) to provide for the vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes, which was ordered to lie on the table and to be printed.

#### CONSTRUCTION AT MILITARY POSTS

Mr. HAYDEN submitted an amendment intended to be proposed by him to the bill (H. R. 13825) to authorize appropriations for construction at military posts, and for other purposes, which was referred to the Committee on Military Affairs and ordered to be printed.

#### FEDERAL RESERVE BOARD FUNDS

Mr. HEFLIN. Mr. President, I send to the clerk's desk a resolution, which I ask to have read.

The PRESIDING OFFICER. The clerk will read the resolution.

The Chief Clerk read the resolution (S. Res. 323), as follows:

Whereas in press dispatches recently the Federal Reserve Board has complained that money is being drawn from the channels of business and used for speculative purposes, and that some of said speculation is illegitimate and harmful; and

Whereas said Federal Reserve Board, in its efforts to correct what it regards as an evil in this matter, has increased the rediscount rate: Therefore be it

*Resolved*, That the Federal Reserve Board is hereby requested to give to the Senate its reason for increasing the rediscount rate, and to give any other information and suggestions that it feels would be helpful in securing legislation necessary to correct the evil complained of and prevent illegitimate and harmful speculation.

Mr. HEFLIN. I ask unanimous consent for the present consideration of the resolution.

Mr. CURTIS. Mr. President, I would like to have it go over, under the rule. I have not had an opportunity to consider it.

Mr. HEFLIN. It just calls for information.

Mr. CURTIS. I ask that it may go over, under the rule.

The PRESIDING OFFICER. The resolution will go over, under the rule.

#### CELEBRATION OF COMPLETION OF CANALIZING OF THE OHIO RIVER

Mr. FESS submitted the following concurrent resolution (S. Con. Res. 38), which was referred to the Committee on Commerce:

Whereas the completion of the canalizing of the Ohio River from Pittsburgh, Pa., to Cairo, Ill., represents an achievement of great importance in the development of the inland waterways of the United States; and

Whereas the Congress of the United States has by legislation contributed to the realization of this project; and

Whereas a celebration commemorating the accomplishment of this great improvement is to be held October 15 to 20, 1929, at which officials of the United States and of the States adjoining the Ohio River will attend; and

Whereas it is fitting that the Congress of the United States be represented at such celebration: Therefore be it

*Resolved by the Senate (the House of Representatives concurring)*, That a committee consisting of three Members of the Senate to be appointed by the President of the Senate and three Members of the House of Representatives to be appointed by the Speaker of the House of Representatives shall represent the Congress of the United States at the celebration of the completion of the canalizing of the Ohio River from Pittsburgh, Pa., to Cairo, Ill., to be held October 15 to 20, 1929. The members of such committee shall be paid their actual expenses, one-half out of the contingent fund of the Senate and one-half out of the contingent fund of the House of Representatives.

#### EMERGENCY OFFICERS' RETIREMENT ACT

Mr. TYSON. Mr. President, I ask unanimous consent to have inserted in the Record a communication from the Director of the United States Veterans' Bureau transmitting a very important decision in regard to the emergency officers' retirement act by the Comptroller General of the United States.

There being no objection, the matter was ordered to be printed in the Record, as follows:

UNITED STATES VETERANS' BUREAU,  
OFFICE OF THE DIRECTOR,  
Washington, February 6, 1929.

HON. LAWRENCE D. TYSON,

*United States Senate, Washington, D. C.*

MY DEAR SENATOR TYSON: With further reference to my letter of January 19, 1929, forwarding for your information two opinions from the Attorney General of the United States, each dated January 18, 1929, in which he construes the emergency officers' retirement act of May 24, 1928 (45 Stat. 735, 736), you are advised that I have just received a decision from the Comptroller General, dated February 4, 1929, covering three of the questions passed upon by the Attorney General.

As the decision of the Comptroller General sets forth in full my submission preliminary to passing upon the questions presented, the decision is self-explanatory.

For your information I inclose copy of the decision. A copy of this letter is also inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director*.

COMPTROLLER GENERAL OF THE UNITED STATES,  
Washington, February 4, 1929.

The DIRECTOR UNITED STATES VETERANS' BUREAU.

SIR: There has been received your letter of November 10, 1928, as follows:

"I have the honor to refer to your decision of August 3, 1928, in response to my letter of July 26, 1928, in which there was considered the authority of the bureau to pay traveling expenses incident to necessary examinations of claimants for benefits under Public, 506, Seventieth Congress, 'An act making eligible for retirement under certain conditions officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in service of the United States during the World War.'

"In deciding that the appropriations for the Veterans' Bureau are available for expenses incurred incident to necessary examinations for applicants under this legislation to the same extent and for the same purposes as other beneficiaries of the bureau, you held further:

"It is apparent the intent of the act is that only those who have a permanent disability entitling them to a rating of 30 per cent or more under the schedule of ratings are entitled to retirement under the act of May 24, 1928, and if in any case the description of the disability upon which an award has been made by the Veterans' Bureau suggests that the disability may now be less than 30 per cent, it is competent for the director, in his discretion, to require the medical examination provided by the World War veterans' act in order that the rating accorded may be 'in accordance with law.'"

"Prior to the receipt of this decision the language limiting the benefits of this act to those 'who have been, or may hereafter, within one year, be, rated in accordance with law at not less than 30 per cent permanent disability by the United States Veterans' Bureau for disability resulting directly from such war service,' had been construed by the general counsel as follows:

"Inasmuch as the present act (lines 7 and 8, p. 1) contains the phrase 'who have been or may hereafter,' it is believed that where an officer has a disability in line of duty resulting directly from his military service on account of which he received a 30 per cent permanent partial disability rating prior to the passage of the act, he would be entitled to appropriate benefits of the act, even though since the passage of the act he has been rated less than 10 per cent permanently disabled."

"A diversion of opinion, however, existed in the bureau on this matter and the procedure established was based upon the theory that the intention of the legislation is that a previous rating of 30 per cent permanent, which was later reduced to less than 30 per cent permanent, should be considered as an erroneous rating and, therefore, not one which would entitle an officer to the benefits provided. Your decision of August 3, 1928, has been regarded as confirming this construction, and the bureau has continued to act on the theory that a permanent disability of not less than 30 per cent must exist now, or within one year after the enactment of the legislation before an ex-officer may be extended the benefits of retirement pay thereunder, and that in order to determine the present existence of such 30 per cent permanent disability reexamination would be necessary except in the following cases:

"(1) Whenever the officer whose compensable disability, directly connected with service and incurred in line of duty, results from amputation, enucleation, organic blindness, organic deafness, organic loss of



speech, fractures, scars, peripheral or cranial nerve injuries, disfigurement of ankyloses.

"(2) Whenever the officer has had a complete physical examination by a board of three physicians (as required for permanent ratings under the regulations governing the Veterans' Bureau) within a period of 90 days.

"It is my belief that this is a reasonable interpretation of the provisions of the law and that your decision of August 3, 1928, is in substantial agreement therewith.

"In view, however, of the fact that your decision of August 3, 1928, was primarily directed at another phase of this matter, reconsideration is requested, with particular reference to the following questions:

"(1) In a case where an officer has heretofore been rated 30 per cent permanently disabled for disability incurred in line of duty directly resulting from war service, and the file now shows that the rating was in error under the law or the facts, or both, may the bureau reexamine and rerate the applicant?

"(2) Where an officer has heretofore been rated 30 per cent or more permanently disabled for a disability incurred in line of duty directly resulting from war service, and such rating was correct under the law and the schedule of disability ratings in effect at that time, but such rating would not be the same under the schedule of disability ratings in effect at the present time, is there authority to place the man on the retirement list on the strength of the former rating, or must a rerating be made under the present disability rating schedule?

"In this connection consideration should be given to the change in the law governing the principles of disability ratings effected by the act of June 7, 1924, which introduced the principle of ratings based on impairment in earning capacity in occupations similar to the occupation at time of enlistment, and to the fact that the former rating schedule thereunder was not put in effect until January 1, 1926, the schedule in effect prior to June 7, 1924, being used in the interim in conjunction with instructions to the rating authorities to apply the old schedule in the light of the law itself pending the promulgation of the new schedule. Since January 1, 1926, there have also been promulgated several extensions to that schedule of disability ratings which have caused distinct variations in ratings of individual cases on the identical disability; for example, due to a revision in the occupational variants for students, a man who has heretofore been assigned a variant as a student because he was engaged in the study of law at the time of his entrance into the military service, is now under extension No. 5, dated June 29, 1926, assigned a variant as a lawyer, the use of which in the evaluation of some disabilities will bring the degree of rating for exactly the same disability below 30 per cent. Is the bureau authorized to take the rating in effect at the time of the enactment of the law which would bring him within the terms of the legislation, or must the amended schedule be applied? Conversely, where a change in occupational variant or other rating element subsequent to the enactment of the law would bring the same disability to a rating of more than 30 per cent permanent, is the bureau authorized or required to rerate the applicant under the amended schedule so as to bring his rating up to 30 per cent and give him the benefits of the retirement law?

"(3) In a case where an officer has been rated 30 per cent or more permanently disabled under the laws, regulations, and schedules of disability ratings in effect at the time the rating was made, for a disability incurred in line of duty directly resulting from war service, but the evidence now shows that he is not at the present time permanently disabled to a degree of 30 per cent or more, must the old rating be accepted and the benefits of the retirement act be accorded? Or should he be reexamined and rerated under the law and schedule of disability ratings in effect on May 29, 1928, or that in effect on the date of administrative determination?" (See decisions of your office in the case of Edward L. Marthill, C-405236, dated October 2, 1926, and January 7, 1927.)

In the decision to which reference is made the question for consideration was whether the appropriations for the Veterans' Bureau available for travel expenses of claimants for the benefits accruing under the World War veterans' act might be used to pay transportation and travel expenses of applicants for retirement to secure physical examination. In reaching the conclusion that the appropriations were available for payment of transportation and travel expenses for applicants for retirement under the act of May 24, 1928, it was necessary to conclude that a physical examination in some cases was necessary, and that the mere fact that the records of the Veterans' Bureau showed that at some time in the past a rating of 30 per cent or more disability had been given a former officer, but upon subsequent examination a less degree of or no disability was found and the record had been corrected to show the true facts, would not entitle the officer to retirement. Extended discussion as to the basis for reaching such a conclusion was not deemed necessary as that conclusion was in consonance with the conclusion reached by you and that was the reason for the submission.

If the strict literal language of the quoted phrase were the only guide as to the description of the beneficiaries it might include anyone who, whether by mistake or otherwise, had ever received a rating of physical disability of 30 per cent or more in the Veterans' Bureau under either

or any of the schedules of ratings ever employed by the bureau, and who subsequently under the authority of the Veterans' Bureau to re-examine beneficiaries had been later correctly rated with a less degree of disability, or with no disability, might now be required to be placed on the retired list created by the act of May 24, 1928, to receive retired pay for life. In such circumstances there might be one or many with no present disability awarded retired pay for life, while one or many with permanent disability rated at 29 per cent would necessarily be denied any retired pay. In many cases it is understood no benefits are now being paid persons who soon after the war had ratings equal to or in excess of 30 per cent disability, so that the retired pay to be paid them under the act of 1928 would not in fact "be in lieu of" any disability compensation they are now receiving. The act extends its benefits to the former officers therein described—

"\* \* \* who during such service have incurred physical disability in line of duty, and who have been, or may hereafter, within one year, be rated in accordance with law at not less than 30 per cent permanent disability by the United States Veterans' Bureau for disability resulting directly from such war service: \* \* \*

and in addition to other benefits provides that former officers so placed on the retired list therein created—

"\* \* \* shall receive from date of receipt of their application retired pay at the rate of 75 per cent of the pay to which they were entitled at the time of their discharge from their commissioned service, except pay under the act of May 18, 1920: *Provided*, That all pay and allowances to which such persons or officers may be entitled under the provisions of this law \* \* \* shall be in lieu of all disability compensation benefits to such officers or persons provided in the World War veterans' act, 1924, and amendments thereto, except as otherwise authorized herein, and except as provided by the act of December 18, 1922 \* \* \*

Section 302 of the war risk insurance act of October 6, 1917 (40 Stat. 406), provided a schedule of payments for total disability and for a percentage of such payments if the disability is partial and required that a schedule of ratings of reduced earning capacity from specified injuries or combinations of injuries of a permanent nature should be adopted and applied by the bureau. By section 305 it was provided:

"That upon its own motion or upon application the bureau may at any time review an award and, in accordance with the facts found upon such review, may end, diminish, or increase the compensation previously awarded, or, if compensation has been refused or discontinued, may award compensation."

That provision has been continuously in the law, although amended from time to time, the present provision for reviewing an award being contained in section 205 of the World War veterans' act (43 Stat. 522), which was quoted at length in decision A-23876, August 3, 1928, referred to by you. This provision clearly assumes not only that awards may have been made of permanent partial disability, which time has shown was either temporary or susceptible of improvement, but also that awards might be improvidently made or made as the result of undetected malinger. In any such case, where a rating was incorrectly accorded the former officer of 30 per cent or more permanent disability, it is competent for the director to review the award and accord a rating which will correctly show the present condition of the beneficiary.

As to the beneficiaries intended by the act of May 24, 1928, see Senate Report No. 115, Seventieth Congress, first session, to accompany S. 777, which became the act of May 24, 1928, where the committee made the following statements as to the purpose and effect of the bill:

"The bill provides retirement pay of 75 per cent of the compensation paid at time of discharge from active service to emergency Army officers who incurred permanent disability of 30 per cent or more as a result of their service during the World War.

"It is believed that this degree of disability in the keen competition of civil life is, on the average, the equivalent of the 'incapacitated for active service,' which is the basis of retiring officers from the Regular Establishment on account of disability."

"The number of disabled emergency Army officers to be benefited by this proposed act, together with its costs, are shown in the appended letter and table from the Director of the Veterans' Bureau, dated January 19, 1928, which are made a part of this report."

In House Report No. 1082, Seventieth Congress, first session, to accompany S. 777, the following statement is found:

"Your committee points out that the Senate act (S. 777) includes those disabled emergency officers of the Navy and Marine Corps, 201 in number, who did not obtain retirement under the act of June 4, 1920. The increased annual cost under this amendment will be \$117,624.

"In all other respects the text of S. 777 is similar to that of H. R. 500, which was favorably reported by this committee on January 20, 1928, perfected copy of which report follows, and is made a part of this report:

"The bill provides retirement pay of 75 per cent of the compensation paid at time of discharge from active service to emergency Army officers

who incurred permanent disability of 30 per cent or more as a result of their service during the World War. \* \* \*

"The number of disabled emergency officers to be benefited by this proposed act is estimated by the Director of the United States Veterans' Bureau, under date of March 21, 1928, to be 3,251. This increase over previous estimates is in part due to the operation of the new rating schedule recommended by this committee and authorized by the Sixty-eighth Congress, in part due to the fact that the physical condition of these older disabled officers has been gradually breaking down under the handicaps of their war-incurred disabilities, and in part due to the inclusion of 185 naval officers and 16 Marine Corps officers not already retired.

"The increased annual cost to the Government, based upon the figures of the United States Veterans' Bureau, is \$2,294,265, being the difference between the amount to be paid under this bill, \$5,136,225, and in lieu of the amount the 3,251 are now receiving as compensation, \$2,841,960. The death rate of these men disabled in war is high, more than 125 deaths having occurred during the year 1927. Therefore it is obvious that when this act becomes operative its cost should diminish rapidly.

"To relieve the War Department of the, to it, objectionable necessity of disbursing from its funds money not applicable to strictly military purposes, the bill provides that the administration of the act be committed to the United States Veterans' Bureau, which has the complete medical records of the beneficiaries \* \* \*."

All discussion was on the basis of former officers who were permanently disabled as the beneficiaries of the act; in other words, former officers who under the World War veterans' act (including the authority of the Veterans' Bureau to review an award under the statutory provisions cited above), were permanently disabled to an extent of 30 per cent or more and who were otherwise within the act.

The language cited defines and limits the beneficiaries under the act, with the further qualification that the disability shall have been, or shall be, rated by the Director of the Veterans' Bureau at 30 per cent or more, in accordance with law, i. e., in accordance with the schedule of ratings in effect on the date of the act for awarding compensation under the World War veterans' act, and it is thus clear that the mere rating at a particular percentage of disability under any scheme of rating at any time in effect was not designed to be the test of the right to retirement under the act of May 24, 1928. Until the requisites for retirement under the act have been established in a particular case, the applicant for retirement continues to be a beneficiary, or an applicant for benefits, under the World War veterans' act; the act of May 24, 1928, does not suspend the application of the World War veterans' act as to persons *prima facie* coming within the terms of the retirement act; until the person has been retired under the terms of the act, he continues to be subject to the provisions of the World War veterans' act, including the provision of law authorizing the bureau to reexamine and rerate beneficiaries of the World War veterans' act.

On the foregoing premise your several questions will be answered in their order, the answers in each case being predicated on the assumption that the Director of the Veterans' Bureau, in the exercise of his discretion, and on the evidence available to him, has determined in a given case that the present records sufficiently suggest error to warrant a reexamination.

1. Yes.

2. The second paragraph of subdivision (4) of section 202 of the World War veterans' act (42 Stat. 618) provides:

"A schedule of ratings of reductions in earning capacity from injuries or combinations of injuries shall be adopted and applied by the bureau. Ratings may be as high as 100 per cent. The ratings shall be based, as far as practicable, upon the average impairments of earning capacity resulting from such injuries in civil occupations similar to the occupation of the injured man at the time of enlistment and not upon the impairment in earning capacity in each individual case, so that there shall be no reduction in the rate of compensation for individual success in overcoming the handicap of an injury. The bureau in adopting the schedule of ratings of reduction in earning capacity shall consider the impairment in ability to secure employment which results from such injuries. The bureau shall from time to time readjust this schedule of ratings whenever actual experience shall show that it is unjust to the disabled veteran."

The rating must be in accordance with law, and the law in effect May 24, 1928, is the law contemplated by the act by which it is to be tested the question whether the rating is in accordance with law. On the facts suggested, a rerating should be made under the disability rating schedule in effect May 24, 1928. In the matter of retirement, equality of treatment for the same disability, other requisites being established, requires that all claims be rated under the same schedule, the one in effect May 24, 1928, pursuant to law; otherwise some former officers would be retired and others having identical disabilities, would not be retired. The law contemplates equal treatment for all otherwise

within the law having the same degree of disability under the applicable rating schedule.

3. It is assumed that the date "May 29, 1928," was inadvertent and that May 24, 1928, the date the act providing for retirement of disabled emergency officers became effective, was intended, and answer will be on that basis. All beneficiaries of the Veterans' Bureau were required by section 202 (4) of the act of June 7, 1924, to be rated on the schedule of ratings therein directed to be adopted. Section 202 (4) of the act of June 7, 1924, directs that "A schedule of ratings of reductions in earning capacity from injuries or combinations of injuries shall be adopted and applied by the bureau." It will be observed that the enactment requires not only the adoption of schedule of ratings, but also their application, i. e., that the schedule shall be put into effect, and if to put such schedule into effect required examination, the rating would not be in accordance with law until such examination had been had. It is understood that has been the administrative procedure and the law was being so administered when the act of May 24, 1928, was passed. The old ratings were not, therefore, for the purpose of the retirement act "in accordance with law," and in any case where the description of the injury or disability, or other evidence available to the bureau, suggests that the application of the new schedule of ratings may affect the percentage of disability, a matter for the exclusive determination of the Director of the Veterans' Bureau, the rating is not in accordance with law, a rerating is required and the schedule of ratings in effect May 24, 1928, should be followed. The decisions cited relate to the effective date of an increase in compensation resulting from a rerating under the schedule of ratings put into effect under the act of June 7, 1924. In a degree the status of the beneficiaries of the act of May 24, 1928, is changed. Their right to compensation under the World War veterans' act ceases after retirement and from the date of receipt of their application for retirement in the bureau they are to be placed on the retired list therein created and are entitled to retired pay based on their commissioned rank at date of discharge from their war service. The percentage of disability should be determined under the schedule in effect on the date of the act, that all in the same situation should be treated with exact equality. For the purpose of retirement, the rating is required to be in accordance with the law as of that date.

What is here said, of course, has no application to the decisions cited by you in this connection.

Respectfully,

J. R. McCALL,  
Comptroller General of the United States.

#### CONVICT LABOR

Mr. NEELY. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Wheeling (W. Va.) Register of the 5th instant entitled "Convict Labor."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### CONVICT LABOR

The State road commission in a report to the legislature requested by Senator Ben Hiner, Democrat, of Pendleton, expresses opposition to the use of convict labor for excavating, grading, and other heavy work. The commission thinks prison labor would be more costly than having the work done by contract, but the reasons given are neither lucid nor convincing.

Why, we ask, can not convict labor be employed on road construction more cheaply than under contract with private concerns using free labor? The board of control several years back offered the road commission from 600 to 800 prisoners, at \$1.50 per day each, to include "delivery," guarding, feeding, transportation, clothing, medicine, etc., while free labor costs approximately \$3.75 per day. Yet the road commission has ever held back and employed convict labor only in emergencies and where public opinion demanded.

It is our sincere hope that the legislature will compel the use of prison labor on State roads, not only to relieve the horribly crowded conditions at the Moundsville Penitentiary but to make great savings for the Commonwealth. Already \$50,000,000 has been expended upon disjointed, disconnected roads with very little results. The fact of the matter is that after seven years and the exhaustion of \$50,000,000, plus Federal aid, West Virginia to-day does not have one single first-class trans-State highway. To go anywhere in West Virginia one has to drive out of West Virginia and use the roads of neighboring States. And unless the legislature is very careful as to the manner in which the extra \$35,000,000 voted last fall is expended, the people may awake some day to find that they still are without main, trunk-line roads running from north to south and east to west and vice versa capable of handling the traffic which the natural beauties, scenery, and business of the Commonwealth should draw.

#### WAR DEPARTMENT APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15712) making appropriations for



the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes.

The PRESIDING OFFICER. The pending question is on the committee amendment, under the subhead "Military posts," on page 26, line 3, after the word "made," to insert a colon and the following proviso:

*Provided further, That no part of the sums appropriated or authorized to be contracted for in this paragraph shall be available for construction at Scott Field, Ill.*

Mr. HARRISON. Mr. President, if there is no further discussion to be had on the amendment and we can have a vote, I am ready to have the vote taken; otherwise, I desire to submit a few remarks.

Mr. REED of Pennsylvania. Mr. President, I may say to the Senator from Mississippi that I think we shall reach a vote very soon. There may be some further discussion. I want to say a word or two to Senators who were not here yesterday.

Mr. HARRISON. Very well.

Mr. REED of Pennsylvania. Mr. President, a number of Senators are now in the Chamber who were not here yesterday afternoon when the Scott Field item was discussed. I want as briefly as I can to summarize for them the question which has to be decided.

At Scott Field, in southern Illinois, about 20 miles east of the city of St. Louis, there is an aviation field which was established in 1917, on which are officers' quarters for 28 officers, noncom quarters for 36 noncommissioned officers, and barracks for 750 men. There are at present at Scott Field five airships, nonrigid, of small size, known colloquially as blimps. There are four observation balloons and a number of the old-type balloons. In heavier-than-air equipment there are one observation airplane and two training airplanes kept there permanently. There are hangars there suitable for the heavier-than-air and lighter-than-air equipment.

It is a very necessary field in the scheme of things for aviation. The War Department has no intention of abandoning the field. If it goes out of the business of operating nonrigid dirigibles, the field will still be used to great advantage for heavier-than-air operations. It is a necessary stopping place for all planes flying from east to west and from west to east across the United States.

The Committee on Military Affairs of the Senate, the subcommittee which considered the pending appropriation bill in the Senate, and the subcommittee which considered the appropriation bill in the House, have felt for more than two years that it was a sheer waste of Government money for the Army to be conducting lighter-than-air experimentation. The Navy is doing it on a large scale and expending millions of dollars each year in that work. The Army has been spending less than a million dollars a year, not including the pay of the soldiers, and has discovered nothing and has improved nothing. General Fechet, the Chief of the Air Service, admitted to our committee that the blimps which they have at Scott Field are of no value whatsoever for combat purposes. He further admitted that the observation balloons which they have there, which are useful and always will be useful for artillery observation and staff observation, can not be used for artillery observation because there is no artillery near them. The observation balloons would serve a much better purpose and be of more service if stationed at Fort Sill, in our opinion, where they could actually be used for spotting artillery fire, the purpose for which they would be used in war times.

The impression has gotten about in Illinois and in Missouri, I am afraid, that we are determined upon the abandonment of Scott Field, but that, I assure the Senate, is not the case. Scott Field will have to be maintained and, under the proposed program, except that the citizens of that vicinity will no longer see the little nonrigid airships flying around, they will not be able to observe any difference. That, briefly stated, is the first reason for the committee amendment.

The second reason is even more cogent. Under the 5-year program for the Air Corps, 1,200 additional enlisted men each year have to be assigned to aviation.

The size of the Army has been limited for several years to 118,750 enlisted men. We can not and ought not to increase the size of the Army. The consequence is that each year 1,200 men have had to be taken out of regiments in the other branches and put into the Air Corps. The result has been an increasing number of skeletonized regiments, brigades, and divisions. It tells very heavily on the other branches of the Army to have annually to take those increments from them.

It was stated in the evidence that there were 508 enlisted men at Scott Field engaged in lighter-than-air work, and the report which comes to me from the War Department this morning states that there are 527. When enlisted men are so much

in demand in every branch of the Army we can ill afford to have 527 of them devoted to experimentation with the little nonrigid dirigibles. I should like to see those 527 men kept in the Air Corps, but to that extent I should like to see the other branches of the Army relieved from providing 527 additional men this year.

If we are going to keep the Army efficient, we have got to have more men in each organization than are necessary for the elementary duties of kitchen police, stable police, and the drudgery of Army life; there has got to be some opportunity for military training also and it is becoming increasingly hard to do so because of the reduction in the number of enlisted men attached to the different regiments, brigades, and divisions of the line of the Army. So, first, because we want to save money and quit spending it on a useless activity, which the Navy can much better conduct; and secondly, because we want to save this number of enlisted men for use in the heavier-than-air activities of the Air Corps, the committee thinks, and thinks very sincerely, that the Army ought to give up this side show which it is running.

Mr. SIMMONS. Mr. President, may I ask the Senator from Pennsylvania a question?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from North Carolina?

Mr. REED of Pennsylvania. I yield to the Senator from North Carolina.

Mr. SIMMONS. Is there anything in the military service which especially qualifies and equips a man for duty in the Air Corps; that is, is such a man any better qualified for such duty by reason of the fact that he has had Army training than would be an ordinary civilian?

Mr. REED of Pennsylvania. Yes, Mr. President; the military flying of airplanes is a vastly different thing from the commercial flying of airplanes.

Mr. SIMMONS. If that be so, ought we not to select the men who are to constitute the personnel of the Air Service from the Army, because of their training and experience?

Mr. REED of Pennsylvania. I do not object to that, Mr. President, and, as I have said, we are doing that. Each year we are taking out a group of 1,200 enlisted men, soldiers, and assigning them to aviation work.

Mr. SIMMONS. I understood the Senator to state that that is exactly what we are doing, but I had in mind that the remedy would be to increase the Army, if necessary, to that extent?

Mr. REED of Pennsylvania. We should hope to do that, Mr. President, except for a sort of general agreement that the strength of the Army ought not to be increased over the present figures. The Army could advantageously use an additional 20,000 enlisted men, but by general agreement the committee has not tried to provide for any such increase.

Mr. SIMMONS. Mr. President, is it the Senator's suggestion that we discontinue a part of this Air Service and thereby relieve the drain upon the Army?

Mr. REED of Pennsylvania. No; my suggestion is that we discontinue the operation of the lighter-than-air dirigibles.

Mr. SIMMONS. The Senator has stated that that requires about 500 men.

Mr. REED of Pennsylvania. About 527 men are engaged in that activity.

Mr. SIMMONS. The Senator is not making an argument against using enlisted men of the Army for that purpose—

Mr. REED of Pennsylvania. Oh, no; not at all.

Mr. SIMMONS. But he is merely contending that we ought to discontinue this lighter-than-air service?

Mr. REED of Pennsylvania. Yes; in the Army.

Mr. SIMMONS. The Senator thinks we ought to discontinue it in the Army?

Mr. REED of Pennsylvania. Yes, Mr. President, when this matter was put up to the Chief of the Air Service and the Assistant Secretary of War for aviation they both asked the committee not to discontinue this lighter-than-air activity. Of course, they are sincere in their statements, I grant you, but I do not remember any case in which an Army or Navy commander ever willingly relinquished any activity that he had once got in his hands. Last year the committee took similar action, and expressed strong views against this waste of money, as we consider it to be; and the House of Representatives, the Senate, and the President acquiesced in that decision; so that it was something of a surprise for us this year to find the action challenged. We had supposed it would be considered as settled policy. We think the men engaged in this activity and the Army itself are not profiting by it, and we think that it much better could be discontinued.

Mr. HAWES. Mr. President, Scott Field was leased by the Government in 1917. At that field we trained many of the

participants in the World War. They were taught flying there. After the war in 1919 the Government made a permanent investment in this field, and now has an investment, as I understand, of some \$10,000,000. At Scott Field there is a hangar for airships costing \$2,000,000.

Scott Field is within 20 miles of St. Louis and within one night's journey of Chicago, Detroit, Cleveland, Indianapolis, Louisville, Memphis, Kansas City, and Omaha; it is within 8 hours of the great cities of the Central West. It is the only field of any kind that really belongs to the Central West. That section of the country has sent men into the Army and into the Navy, and it pays its proportion of the taxes for the Army and for the Navy. We believe that this is the first move to destroy Scott Field, and the advisability of the move is not sustained by the opinion of any man connected with the Army, from the Assistant Secretary of War down to the last witness who appeared before the committee.

If anybody connected with the Navy has proposed the change which has been suggested by the members of the Military Affairs Committee of the Senate it is not disclosed in the hearings. So we find here a change proposed by a subcommittee of the Committee on Military Affairs that is not supported by the Army, that is not supported by the Navy, and that was defeated on a roll call in the House of Representatives.

It is contended by the proponents of this change that control of the lighter-than-air service should be given to the Navy. Airships, according to the testimony of the commander at Scott Field, are necessary. I should like to say something about the commander at Scott Field. He is Colonel Paegelow. Senators may not have heard of him, but he is the man who commanded and had charge of our balloon service on the battle front.

He said in his testimony that all together he had lost 32 balloons, one of which was taken in Germany, and he speaks of the destruction of others. He is an officer experienced in war, who has studied the Air Service and who understands the climatic changes in the district where Scott Field is situated. He has had all the experience derived from 11 years' service there.

Now, it is proposed to remove the airship from the control of the Army. It is true that provision for captive balloons to direct artillery fire remains in the appropriation, but I can not understand, and apparently the Navy can not understand, and the Army certainly can not understand, why the Navy should direct the firing of artillery by the Army.

Mr. REED of Pennsylvania. Mr. President, the Senator did not understand me to suggest that, did he?

Mr. HAWES. I understand that the Senator proposes that all these airships shall be transferred from the jurisdiction of the Army to that of the Navy.

Mr. REED of Pennsylvania. Precisely; but the observation balloons, which are the only things used for observing artillery fire, are to be kept under the control of the Army, and the bill so provides.

Mr. HAWES. The Assistant Secretary of War, who testified on this subject, had this to say:

The airship is used strategically or tactically in a situation favoring its employment as a complement or replacement of the airplane, such conditions as inclement weather, long-range operations, and situations wherein the peculiar characteristics of the airship make it a suitable agency for use in conjunction with or in lieu of heavier-than-air craft. The airship has a number of capabilities which are not enjoyed by heavier-than-air craft.

I could quote from other distinguished authorities who want this question at least left open.

If the position of members of the Senate Military Affairs Committee is sustained by a single Army officer, if it is sustained by the Navy, it is their duty to tell the Senate about it. The matter was discussed in the House, and the House refused to adopt the suggestion which is here proposed.

Mr. President, we are not asking at this time for more money; so that the striking out of these amendments which cripple the usefulness of Scott Field and forever remove lighter-than-air machines from the jurisdiction of the Army is the only question now before the Senate.

I suggest that if the entire subject of lighter-than-air craft is to be transferred to the Atlantic coast, and that is the policy and the thought back of the three amendments to this bill, it should be given further consideration, and that it at least should be supported by technical experts of the Army and the Navy. So that this amendment which we of the Central West are asking to have stricken from this bill comes before you having been defeated in the House and not approved by any competent naval or military authority in either branch of the service.

Mr. SHORTTRIDGE. Mr. President, may I ask the Senator from Missouri what is the position taken by the Secretary of the Navy with respect of this controverted matter?

Mr. HAWES. I find no expression from him.

Mr. SHORTTRIDGE. What is the position of the Secretary of War?

Mr. HAWES. He is opposed to it.

Mr. REED of Pennsylvania. Mr. President, will the Senator point to his testimony?

Mr. HAWES. Yes, sir.

Mr. REED of Pennsylvania. The Senator means the Assistant Secretary of War; does he not?

Mr. HAWES. I mean the Assistant Secretary of War, acting as agent for the Secretary of War, and speaking for the Secretary of War.

Mr. SHORTTRIDGE. That would seem to be so; but does the Secretary of War dissent from the views expressed by his assistant?

Mr. HAWES. No, sir. I know personally—not as a matter of record—that he is very much opposed to this change, and has so stated.

Mr. KING. Mr. President, it is recognized that all efforts made by Congress to abolish any governmental agency, particularly any executive bureau, department, or organization, are resisted to the utmost, and all such efforts have proven abortive. Executive organizations cooperate to resist efforts to dislodge them and to increase their power, authority, and jurisdiction.

The Republicans, during the campaign of 1920, made the most solemn promises to reorganize departments, eliminate bureaus, and coordinate the activities of executive instrumentalities. Since securing control of all branches of the Government following the inauguration of President Harding, whatever efforts they have put forth in the direction indicated have proven utterly unavailing. Senators will remember that a commission was appointed to consider the question of consolidating Federal agencies. President Harding selected Mr. Brown, of Ohio, as the chairman of the commission. When the commission began its futile and inconsequential activities, executive departments engaged in acrimonious discussions as to the powers and functions which belonged to them, and all resisted efforts to consolidate, reorganize, and effectuate administrative reforms. Since then more bureaus have been created, more Federal agencies have sprung into existence, and the power of the executive department is greater than ever before. The personnel of the executive departments and bureaus are increasing, and there is every promise of the extension of bureaucracy, the multiplication of Government agencies, and the assertion of greater power and authority by various branches of the executive departments of the Government.

The Senator from Pennsylvania [Mr. REED] has, with the utmost accuracy, just stated that no Federal agency has been known to concur in a movement to reduce its authority or restrict its jurisdiction. So it is not surprising that officers of the War Department have resisted the recommendation of the committee that useless activities relating to Scott Field be abolished and that such work there being performed be transferred to another department better equipped for the performance of the same. The duplication of activities in Federal organizations and agencies is so great as to shock every business man who comes into contact with the work of the executive departments.

There are many activities engaging the attention of the Navy Department which receive consideration in the War Department. These numerous duplications in part account for the enormous expenses of the Federal Government. If the work of the executive departments of our Federal Government were performed by private persons and business organizations, the expenditures would be reduced to the extent of hundreds of millions of dollars annually. Waste and extravagance and uneconomical methods are characteristic of governmental activities.

Mr. President, an examination of the pending bill reveals that it carries more than \$346,000,000. In addition there are authorizations which will call for tens of millions of dollars additional, and this bill carries appropriations for but one fiscal year for the Army.

We are at peace with all the world. There are no clouds of war. We are not making military preparations for an impending conflict and yet there is placed before us a bill which takes from the Treasury of the United States for the next fiscal year more than \$447,000,000 to meet the ordinary expenses of the Army. It should be stated, however, that approximately \$80,000,000 of this huge sum is to be devoted to flood control and for the improvement of our harbors and inland waterways.

The House will pass to-day or to-morrow the naval appropriation bill which, as I am advised, will carry items aggregating at



least \$375,000,000. We have already passed a number of bills during this session appropriating approximately \$25,000,000 for the Army and the Navy. This sum is to be added to the amounts that I have just given. I have no doubt that before Congress adjourns on the 4th of March the appropriations for the Army and the Navy for the next fiscal year will approximate \$800,000,000, and if we are to judge the future by the past, when Congress meets next December deficiency bills will be presented calling for tens of millions of dollars to meet the obligations incurred by the War and Navy Departments.

Mr. President, the American people do not appreciate the tremendous burdens under which they labor to meet the expenses of the military arm of the Government. No country in all the history of the world has ever expended for military purposes, except in time of war, the amount which the United States has been expending during the past five or six years. We often hear of the military character of the German Empire during the years preceding the World War, and we are often told that the military expenses of the German Government during the period mentioned were enormous. Mr. President, we will appropriate very much more for our Army and Navy for the next fiscal year than Germany expended in any year preceding the outbreak of the World War in 1914. My recollection is that Germany's budget for military purposes in 1913 was considerably less than \$500,000,000. We can not justify the enormous appropriations which are being made for military purposes. The overhead of the Army and the Navy is entirely too great. It is inconceivable that we are appropriating for the small Army that we have the stupendous sum carried in this bill. As Senators know, the expenses of the Federal Government for all purposes in 1900 were considerably less than \$700,000,000 and for the fiscal year ending June 30, 1916, they were but slightly over \$1,000,000,000.

Mr. President, the expenses of the Federal Government are increasing out of all proportion to the service rendered and the duties performed. We have been led to believe by repeated promises from the party in power that there would be a great reduction in Federal expenses but the promises have not been fulfilled and our Republican friends with the greatest cynicism now declare that expenditures will increase. Of course, that will involve an increase in taxation and will result in imposing heavier burdens upon the taxpayers of the United States.

The Federal Government is extending its activities; it is projecting itself into fields where it is an alien and where, under the Constitution, it has no jurisdiction. The executive departments welcome the conference upon them of additional authority and many of them are constantly intriguing to secure additional power and to multiply the activities with which they shall be concerned. Where the end will be it is not difficult to foresee. Bureaucracy, like the rolling snowball down the hillside, increases in size and in momentum. Sooner or later it reaches the bottom. It may rest in peace for awhile; more often it is dashed to pieces; sometimes it waits the scorching rays of the sun to destroy it. Bureaucratic governments are always the most oppressive and the most extravagant. Often they meet a premature end. History supports the statement that bureaucracies thrive in liberal and democratic governments, but with their increase in authority the cause of liberalism is diminished and the interests of democracy are imperiled. But I return to the subject before us. The Senator from Missouri [Mr. HAWES] has just referred to the fact that Scott Field was selected in 1917 during the World War and that a large number of men were drilled for military service at that point.

In those exciting and dramatic days of 1917, when this great Nation entered the World War, a large number of fields were provided in various parts of the United States. Millions of men were drilled and sent to cantonments and various points of our country, where they were drilled for service upon the seas and beyond the seas. When the war was over most of these fields and cantonments were useless. Many were promptly abandoned; too many were retained. Several years ago, as a member of the Naval Affairs Committee, I made an examination of a large number of the naval bases and stations and navy yards. My recollection now is that there were more than 150 falling within the categories just referred to. Recommendations were made by members of the committee to abandon many stations and some navy yards and stations. There were a large number of military posts scattered throughout the United States. Millions were expended in maintaining these unnecessary naval yards, bases, stations, and Army posts throughout the land. Some were finally abandoned, but the contest to secure the abandonment of a post or navy yard or station was a most bitter one. Opposition of the fiercest character was often encountered by the communities in which these Army and Navy posts, stations, and so forth, were found. Too

often the interests of the country were sacrificed to meet these demands for a continuation of these governmental activities.

A considerable portion of the expense of the Army and Navy results from the maintenance of unnecessary stations, naval bases, navy yards, repair shops, arsenals, stations, and so forth, and nearly every session of Congress a number of bills are introduced to create additional stations, aviation bases, submarine bases, Army bases, and so forth. An examination of the bill before us reveals the enormous expense incident to maintaining the military posts and stations throughout the United States.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Missouri?

Mr. KING. I yield.

Mr. HAWES. Is the Senator under the impression that if this proviso is stricken out it will add to the cost, or add to this bill? I want to disabuse the Senator's mind of that impression if he has it, and then to direct his attention to the statement of the Senator from Pennsylvania that there is no intention of abandoning Scott Field; so the question the Senator has been discussing does not seem to apply to this amendment.

Mr. REED of Pennsylvania. Mr. President, will the Senator permit an interruption?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Pennsylvania?

Mr. KING. I yield.

Mr. REED of Pennsylvania. The department requested \$667,000 for this lighter-than-air activity at Scott Field, which has been denied them by the House, and which stands denied as the bill now is; and, while I am correcting the matter of figures, the amount heretofore spent on the permanent improvement of Scott Field is not \$10,000,000 or anything like it. The amount actually spent down to June 30, 1928, for permanent improvement, including the original cost of the land, was \$3,561,056.67. The authority for that is a letter of General Feehet, which is printed in the CONGRESSIONAL RECORD at page 1434.

Mr. KING. Mr. President, even if this field had cost \$50,000,000, it would not, it seems to me, be an appealing argument for its continuation. We spent more than \$3,000,000,000 in the construction of a merchant fleet during the war. We spent at Hog Island more than \$50,000,000 for the construction of that plant, and it has been abandoned. Many other plants were built during the war which, when the war was over, were of no use whatever. They were war losses and should have been promptly written off as such.

As I stated a moment ago, there are fields and camps and posts and naval bases by the scores and hundreds throughout the United States, most of which should be abandoned. I do not agree with the Senator from Missouri that to continue the use of Scott Field in the manner in which it is now being used will not increase the expenses of the Government. It was stated by the Senator from Pennsylvania that more than 500 of the enlisted men now at Scott Field are needed for active service of various military posts. He stated that many of the military units were mere skeletons and that a considerable number of enlisted men of the Army are spending their time in kitchen duty and in work quite outside of military service. If the enlisted men at Scott Field are to remain there in practically nonmilitary service, an insistent demand will be made that the Army be enlarged and, of course, that would involve additional expenditures. Whenever enlisted personnel are called upon to perform nonmilitary duties additional men will be called for to recruit the ranks thus depleted. This policy of weakening the Army by assigning our soldiers to nonmilitary activities is not wise and will tend to disorganize the Army and more or less demoralize the administrative machinery of our Military Establishment.

The discussion shows that there is duplication of work by the Army and the Navy, and that if there is any value to the work now being performed at Scott Field it is quite insignificant and could be better performed by the naval organization which is devoting attention to all forms of aircraft, whether heavier than air or lighter than air. I repeat what I said a few moments ago, that there is too much duplication of work by Government agencies. Each bureau and department is jealous of all others and is unwilling to surrender any field in which it is interested, although some other agency of the Government is performing the same character of work and in many instances in a much better manner.

Mr. HAWES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Missouri?

Mr. KING. I yield.

Mr. HAWES. How many men does the Senator think it takes to operate an airship?

Mr. KING. It depends upon the character of the ship, whether it is a ship like the *Roma*, the *Los Angeles*, or the *Graf Zeppelin*, or the balloon types operated at Scott Field.

Mr. HAWES. Five or ten or fifteen or twenty?

Mr. KING. As I have stated, does the Senator mean the great airships, such as those I have mentioned?

Mr. HAWES. No; such as we have at Scott Field now.

Mr. KING. An inconsiderable number; but there are more than 500 enlisted men there, and a considerable number of officers.

Mr. HAWES. They can take them away. They are not necessary to this service.

Mr. BINGHAM. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Connecticut?

Mr. KING. I yield to the Senator.

Mr. BINGHAM. I should like to ask the Senator from Missouri if he has ever seen a dirigible brought down with the "inconsiderable number" of men spoken of? The Senator knows perfectly well that the reason why there are 400 enlisted men at Scott Field is that they are necessary to act as human anchors when a dirigible is being walked into its hangar.

Mr. HAWES. Mr. President—

Mr. KING. I yield to the Senator from Missouri.

Mr. HAWES. Does the Senator dispute the fact that there ought to be four or five hundred men at this field? Does he want to move them all away? Is that his thought?

Mr. BINGHAM. Mr. President—

Mr. KING. I yield to the Senator from Connecticut.

Mr. BINGHAM. I shall be glad to answer that question as soon as the Senator from Utah yields the floor.

Mr. KING. Mr. President, the arguments which have been made during this debate—and this leads me to an avenue not quite pertinent to the discussion—confirm the view which has been expressed by General Mitchell and by others, and which is represented by bills which I have introduced upon numerous occasions in the Senate, that there ought to be a consolidation of the Army and the Navy under one control. All agencies connected with the national defense should be under one organization. We should have a department for national defense under the head of a Cabinet officer. There should be an assistant having charge, under the secretary, of naval matters; an assistant looking after what might be called military matters; and a third assistant who would have charge of aviation in all of its various forms. In this manner there would be a coordination of all of the activities relating to national defense. There would be no further quarrels as to who should have charge of coast defense or aviation activities along the coast, or who should defend our harbors. The different departments which now exist make for waste, duplication, extravagance, uneconomical methods and inefficiency.

It is recognized that aviation is in its infancy. It is destined to be for commercial, as well as for military purposes, one of the great agencies and forces in the world. All of the activities of the Government in connection with aeronautics and all forms of aviation should be under one control. There is much scientific work, much research work, much administrative and executive work to be done in order to coordinate all of the activities, whether they are administrative, scientific, military, or naval.

It is not my purpose to discuss the bill which I have pending providing for a consolidation of these departments and agencies, and I have alluded to it only in passing because it was pertinent to the discussion which has taken place.

Mr. President, I observe the bill carries an appropriation of more than \$30,000,000 for aviation, and various appropriations for other activities in connection with balloons and dirigibles. I repeat that all of this work should be under one head. There are needed at the present time radical reforms in every branch and department of the Government. It is unfortunate that we can not select some commission of five of the ablest business men of the United States to examine our executive departments and their multitudinous offshoots and formulate a plan that will consolidate, coordinate, and bring together, in proper groups for better service and better economy, all of these executive and administrative branches of the Government. But it is hoping too much that we will have the courage, good sense, and wisdom to pursue such a course. Moreover, in trying to accomplish this end we would be attacking an almost irresistible force, which would probably hurl back all who had the temerity to assail the great citadel of bureaucracy and departmentalism which to-day is the most powerful agency in the Government.

Mr. President, I support the amendment reported by the Senate committee and hope that it will be adopted.

Mr. BINGHAM. Mr. President, there have been so many erroneous statements made in the course of this debate that it is impossible to correct them all, but I think it is only fair that attention be called to two or three of the most important ones.

In the first place, it was stated a few minutes ago that one reason for not agreeing to the committee's proposal is that \$10,000,000 have already been spent at Scott Field. That is the kind of thing that local communities all over the world, and in probably every State in this Union, are fond of saying about governmental institutions which they would like to obtain in their neighborhood for sentimental or economic or other reasons.

As a matter of fact, Mr. President, that is an error by something like 200 per cent; in other words, about three and a third million dollars have been spent there and not ten million.

The reason why that much money was spent there was that it was expected, when the money was appropriated, that the Army would continue to need the services of blimps or semi-rigids, small dirigibles, in other words.

At the end of the war airplanes were still in a state, particularly as regarded their power plants, where they were not considered reliable, and it was not until nearly 10 years afterwards that an aviation motor was sufficiently reliable to enable a pilot to fly from New York to Paris.

The use of the dirigible over land by armies is generally regarded by military experts to-day as being unjustifiable, because the observation airplane is so much more reliable than it was at the end of the war, is so much more rapid, is so much better able to defend itself, and to get back, with its information than a dirigible that no Army corps commander would care to have his observation airplanes replaced by dirigibles. In fact, I have heard it suggested on the floor of the Senate that we ought not to have any more dirigibles in the national defense at all.

The situation over water is very different. The experience last summer of the *Graf Zeppelin*, coming across the ocean, having an accident, and being able to stay in the air for a number of hours while repairs were made to its steering apparatus, and even then, crippled as it was, to make faster speed than any ocean liner had ever made, shows the importance of the dirigible for overwater service and for the Navy.

To go back to another of the erroneous statement's, the statement was made a few moments ago on the floor that Scott Field is the only one in the Middle West, that it is centrally located, that it is within a few hours of all the great cities of the Middle West, and that therefore it is very important that this field should be developed as a lighter-than-air field.

As a matter of fact, even in Illinois, whose Senators are making a very earnest effort to have the committee overruled in this matter, the Air Corps has maintained and is maintaining a large and important field at Chanute.

Mr. GLENN. Mr. President, will the Senator yield?

Mr. BINGHAM. Certainly.

Mr. GLENN. Does not the Senator know it to be a fact that there is a very determined effort now being made to have Chanute Field abandoned also?

Mr. BINGHAM. If the effort is determined, it has not made itself heard yet in any of the committees, either the Committee on Military Affairs or the Committee on Appropriations, of which I have the honor to be a member.

Mr. GLENN. An appropriation was authorized at the last session of \$220,000 for Chanute Field, none of which has been expended, for the reason that the Government is making a study now looking toward the abandonment of Chanute Field.

Mr. BINGHAM. I have not heard of any such consideration. I do know that there are a large number of buildings authorized by act of Congress for which no appropriations are made, and I was about to refer to that in a minute.

Mr. HAWES. Mr. President, will the Senator yield?

Mr. BINGHAM. I yield.

Mr. HAWES. The Senator made an observation about reckless statements regarding the cost of this field, evidently referring to my statement as to the \$10,000,000. I would like to give the Senator my authority, which is found on page 234 of the hearings.

Senator FLETCHER. What investment have we got there at Scott Field?

General FECHET. I beg your pardon.

Senator FLETCHER. What investment does the Government have at Scott Field?

Senator DENEEN. Over \$5,000,000.

Colonel PAEGELow. Around \$10,000,000.

Senator DENEEN. Ten million dollars?



Senator FLETCHER. You built a hangar there not long ago costing something over \$3,000,000.

General FECHET. The hangar cost \$2,000,000, and was finished about six years ago.

That is my authority for that statement.

Mr. BINGHAM. I do not think the Senator was listening when the Senator from Pennsylvania [Mr. REED] a few moments ago referred to a letter, found on page 1434 of the RECORD, from General Fechet, Chief of the Air Corps, dated January 3, 1929, in which he said:

Permanent improvement including original cost of land to June 30, 1928, approximately \$3,561,056.67.

I notice the Senator from Missouri walks away, so I assume he is not interested in this phase, and I shall proceed.

Mr. HAWES. I can hear the Senator.

Mr. BINGHAM. Mr. President, no argument has been made on this floor, so far as I have been able to read in the RECORD, or so far as I have heard, to show that the Army needs to maintain dirigibles. Nevertheless, there are perhaps three good reasons why the wishes of the Senators from Illinois and the Senators from Missouri should be carried out.

The first is that in the 5-year air program passed by the Congress in 1926 there was inserted a provision that the Secretary of War was authorized to carry out such experimental work on lighter-than-air equipment as he should deem wise. It was not felt at that time entirely wise to strike out dirigibles entirely from use by the Army, although the committee which finally drafted that bill was unanimously convinced that it was only in the use of observation balloons that the Army should be really interested.

It was in order to carry out that part of the 5-year program just referred to that the Assistant Secretary of War made his estimate, as stated in the hearings, with regard to the fact that the War Department would like to have something over \$500,000 in this year's appropriation bill in order to buy more dirigible balloons, to buy more equipment, and to carry on with the lighter-than-air work, apart from the observation balloons.

The second reason why this amendment recommended by the committee should be opposed is that there are a certain number of officers in the Army who wear balloon wings, if I may use such a contradiction in terms. The wings which they obtained were obtained by flying lighter-than-air craft. They draw their 50 per cent additional pay on account of taking flights in balloons, sometimes captive balloons, sometimes dirigible balloons that are tied up to a mooring mast.

Several of the older officers in the Army Air Corps are "flying officers" by reason of their dirigible balloon experience. They have friends in the Army. If we were actually to take away from the Army, as we believe wise, this lighter-than-air dirigible service—and I may say parenthetically that there is no effort on the part of anybody to take away from the Army the use of the observation balloons—there would be a small number of officers, some of them with a good deal of influence, some of them with a good deal of rank, who would no longer be "flying officers," who would no longer have the excuse of qualifying for their 50 per cent increase in flying pay, who would, in a way, be out of a job, and human nature being what it is, and all of us sympathize with people who are out of work, or facing unemployment, there is a good deal of sympathy with the position in which these officers find themselves, due to the fact that there is no real military excuse for the Army to play with dirigible balloons.

Mr. HAWES. Mr. President, will the Senator yield?

Mr. BINGHAM. It is difficult to carry out an argument when yielding; but I yield.

Mr. HAWES. I am not an expert and my knowledge of this subject is confined to what I can see in the record.

Mr. BINGHAM. Let me say to the Senator that there is a great deal in this matter that does not appear in the record. That is known to all of us. It is difficult to bring this out on the floor without embarrassing individuals, and I have no desire to embarrass any individual. I am not asking for anything except what I believe to be in the interest of the Air Service of the United States. The 5-year airplane program is not fully provided for in this bill. We are not even given a sufficient amount of money to buy enough airplanes to carry out the third-year increment. This bill as it stands represents a shortage of 55 airplanes in the third increment of the 5-year program, because we can not get money enough to carry on the 5-year airplane program.

Mr. HAWES. The question I desired to propound was this: Whether the Senator's expressions of opinion were individual, or whether they were supported by the experts either of the Army or of the Navy? I have been unable to find any support

for this provision in any testimony of any Army officer or any Navy officer.

Mr. BINGHAM. That is true, Mr. President; and I am trying to give the reasons for that. In the first place, the Army officers who agree with me in this matter perfectly do not like to go on record as stating that belief, because they know that it is directly contrary to the interests of their brother officers.

In the second place, there are officials in the War Department who do not like to go on record as agreeing with me for other reasons which I do not desire to state at this time.

Mr. HAWES. That is a very lamentable situation.

Mr. BINGHAM. It is. The trouble is there is a lot of politics in this matter, both local and Army. All I am trying to do is to see to it that the Army shall get all the aviation to which it is entitled and which it can use well and shall not waste any money on blimps. Blimps should be used by the Navy over the water. Blimps should not be used by the Army.

Mr. HAWES. That is not the testimony of the experts who appeared before the Senator's committee, and I can assert that neither the Navy nor the Army supports the Senator's position; the House, by a record vote, has repudiated it; so if there is any authority either from the Army or the Navy to support the Senator's position, I think the Senate should have the benefit of the quotation.

Mr. BINGHAM. The Senator is taking a very unfair advantage of a position which I stated a few moments ago. There is a great deal more in this than can appear of record. He is trying to force me to state things which will embarrass certain individuals, and I do not propose to do it. I would rather be defeated in this matter than to embarrass those individuals. Now, if the Senator will kindly refrain for a few moments until I finish my argument I shall be greatly obliged to him.

Mr. President, the point is that Scott Field, one of the earliest fields to be established, was in 1919 reserved for future use when a great many fields were closed all over the country, as a place where the Army would use its dirigibles. As time has gone on the officers of the Army and of the Air Corps have become more and more convinced that the Army has no real use for dirigibles, but they are not going to say so in public for perfectly obvious reasons. The Senator from Pennsylvania [Mr. REED] pointed out that in all his experience he has never heard of an Army officer being willing to testify in public that the Army would like to give up something it has been doing. Of course they would like to go on playing with dirigibles.

When I brought this matter to the attention of the Senate Committee on Military Affairs some time ago and it became known that arguments were being used to convince that committee unanimously that the Army ought not to go on playing with blimps, within 48 hours there were one or two Army blimps sailing beautifully along over Washington in an effort to show how attractive they were and how mistaken I was and how mistaken the committee was. It was a beautiful sunny day, there was no wind, and they sailed gracefully over Washington in the hope that those connected with them might be able to save their jobs as officers flying balloons for the Army.

Mr. President, no reason has been given to the committee and no reason has been given on the floor of the Senate why the Army should continue to use blimps in view of the tremendous increase in the efficiency of observation planes to-day.

The third reason which is back of the plan for defeating the committee's proposal is that certain good people living within a radius of 25 miles of Scott Field would feel badly if their friends on Scott Field, who have been kind to them, who have treated them courteously in a social way, who have traded with them, who have given them a pleasant place to which to go on a sunny afternoon when they desired to take a ride in their automobiles, should be out of a job.

Those are the real reasons. I respect, of course, the position of the Senator from Missouri and the position of the Senators from Illinois, who do not want to have an Army post interfered with or permanent construction at a post in their State or in the vicinity of one of their large cities interfered with. The truth is that there are already too many garrison posts all over the United States. Instead of being limited to a few points where they can be used to the greatest advantage for the best interests of the military policy of the Government, they are, to please the communities and the Congressmen representing those communities, scattered over a wide area. I have no doubt that there are some Congressmen who are influenced by recommendations of that kind.

As a matter of fact, in the State of Illinois there are six garrison posts to-day, counting Scott Field, and there is an excellent field where officers and men are trained for the Air Service at Chanute Field. I may say to the Senator who ques-

tioned me a few minutes ago that I do not think there is the slightest danger of what he fears happening at Chanute Field. I never have heard any reference made to it in any committee. The trouble is that there is not money enough to go around. The trouble is that the building program laid down in connection with the 5-year program and recommended by the War Department can not be carried out, because we have not money enough for it. Of \$2,000,000 additional needed for hangars and shops and flying fields to carry out the accepted 5-year aviation program of the Army, we were only able to secure something less than \$500,000; we had to leave out \$1,500,000. That is the reason why technical building does not go on faster in the aviation posts of the United States, where it should go on.

Mr. President, I wish that it were wise and expedient to move that the appropriation for aviation be increased so as to cover all the desires of those who want to see our program for airplanes go forward and of all those who still believe in the Army using blimps, as the Senator from Missouri [Mr. HAWES] does. But in view of the fact that we are not even able to get money enough to carry out the 5-year program in regard to airplanes, it seems to me that it is only wise that the Navy, which is doing so extremely well in connection with its dirigibles, and is now about to build, and is commencing to build two of the largest dirigibles in the world, should be given the duty of experimenting, training, and carrying on the work with lighter-than-air equipment, except observation balloons, and that the Army should be given as free a hand as possible in carrying on its work with airplanes.

Mr. DENEEN. Mr. President, I desire to restate some of the facts about the amendment by the committee, and to answer some of the statements that have been made regarding it. I shall address myself first to the remarks made by the distinguished Senator from Connecticut [Mr. BINGHAM].

I am somewhat surprised at the argument put forth by him to sustain his position. He states that he thinks that certain officers of the Army desire Scott Field and others like it for the purpose of increasing their pay by 50 per cent as a bonus for flying. There is no authority for such a statement. On the contrary the responsible officers who have to do with aviation for the Army have testified before the committee that this branch of the Army service is an essential branch. We not only have a few who state that, but we have all connected with it.

On the 2d of July, 1926, the Congress passed an act the title of which I read yesterday, and which I will read again, which indicates the scope of the act:

An act to provide more effectively for the national defense by increasing the efficiency of the Air Corps of the Army of the United States, and for other purposes.

Section 8 of that act reads as follows:

Five-year Air Corps program: For the purpose of increasing the efficiency of the Air Corps of the Army and for its further development, the following 5-year program is authorized.

The amendment now before us seeks indirectly to do something which is not proposed to be done directly, and that is to repeal the act to which I have just referred, which has three years yet to operate. The distinguished Senator from Utah [Mr. KING] intimated that this would increase the appropriations. The only reference to appropriations in the bill is found on page 34. The appropriation there is for \$36,239,643. This is not questioned by the Senator from Utah. No one questions the amount there. I take it no one will question it. There is nothing in the amendment that would increase or change the amount just referred to.

Yesterday in the debate the assertion was made by the distinguished Senator from Pennsylvania that if this amendment were not incorporated in the bill the Army would be able to expend \$150,000 for barracks for officers. I took occasion this morning to make an inquiry regarding this matter. There is no estimate, I am informed, for \$150,000, and no appropriation asked for that purpose, and it is not conceivable that the Army officers would endeavor to expend that amount of money even if they had the authority.

Mr. REED of Pennsylvania. Mr. President, will the Senator permit an interruption?

Mr. DENEEN. I yield.

Mr. REED of Pennsylvania. On page 316 of the House hearings, under the heading "Scott Field, Ill.," is the item:

Designation of project, barracks, amount \$100,000.

I think that is the amount I stated.

Mr. DENEEN. I think the Senator said \$150,000.

Mr. REED of Pennsylvania. The remarks given are:

Authorized, but no appropriation made in Army act, 1929. Specific provision was made that no part of the appropriation would be available for this project.

Without the amendment of the committee now in the bill, and to which the Senator is objecting, that \$100,000 could be spent on the 1st of July.

Mr. DENEEN. I was informed by the Army officers just to the contrary this morning. They made the statement, which I think will appeal to the distinguished Senator from Pennsylvania, that the items for the amount that will be appropriated are all covered specifically and that in order to withdraw any money some of them would have to be avoided.

Mr. REED of Pennsylvania. That is perfectly correct.

Mr. DENEEN. And that no one could conceive that the Army officers, after seeking appropriations for specific items, would fail to spend the money for those purposes, but would expend it on matters not covered in the bill. That is the position of the Army officers, as I understand it.

Mr. REED of Pennsylvania. I think every year some items are overrun and others under-run, and the money is interchangeable.

Mr. DENEEN. Does the Senator from Pennsylvania contend that if the proposition is not retained in the bill there is any danger that the Army would expend that amount of money, in view of their testimony and in view of the other items covered? Does he really think there is any danger of it?

Mr. REED of Pennsylvania. We want to make it clear, as we did last year, that it must not be expended for the purpose named.

Mr. DENEEN. The provision to be voted on is as follows:

Provided further, That no part of the sums appropriated or authorized to be contracted for in this paragraph shall be available for construction at Scott Field, Ill.

We are not asking for any money for construction. The Army officers believe that there should be \$667,900 for equipment. Yesterday in the debate it was practically conceded that \$80,400 should be expended for observation balloons, and that if the Navy undertook to operate this field all the other items making up the \$667,900 could be used to advantage. The larger sum I have just mentioned does not refer to any construction but to equipment. There is, however, nothing before the Senate at this time regarding that amount of money.

Now, let me say a word or two in reference to the so-called blimp. An effort has been made to change the facts by calling names. The smaller aircraft that is operated at Scott Field is the same kind, I am informed, that is being operated by the Navy. In the charge here about the Army they are called "blimps," but they have a politer name when they are operated by the Navy Department.

Mr. BINGHAM. Oh, no; Mr. President, they are called "blimps" no matter who operates them, and there is nothing derogatory in the term whatever.

Mr. DENEEN. I understood it was so, not only by the language but by the emphasis that was placed upon it.

Mr. REED of Pennsylvania. Mr. President, will the Senator from Illinois suffer an interruption?

Mr. DENEEN. I yield to the Senator from Pennsylvania.

Mr. REED of Pennsylvania. I first used the word. The word "blimp," as I understand, means a nonrigid airship; that is all.

Mr. DENEEN. I understand that, but I gathered also from the Senator's remarks—and I refreshed my recollection this morning—that a "blimp" was being regarded as a sort of toy that was used to entertain the people who live in the locality and others who go there as visitors.

The Army officers have testified that advantage should be taken of progress in the aviation art; that the flyers of the Army should be trained by officers of the Army for that purpose; that men trained in the Navy would be utilized in the naval combats and attend the fleet in emergencies; that the Army is called upon to defend the coast, and the area 200 miles from the coast, and that there are in the continental United States 7,500 miles of shore line; that there is no dispute between the Army and the Navy as to the advantage of having the Army flyers trained in the Army, and there is certainly nothing in the record to indicate otherwise.

Every officer of the Army who has responsibility in connection with this work has testified that it is to the distinct advantage of the Army to develop its own flyers, and the record does not reveal any contention by anyone else against the views of the Army officers.

To sum up, we do not ask for an appropriation, and the amendment does not carry an appropriation; this amendment



is an effort indirectly to repeal legislation that should not or could not be repealed directly, and the amendment should be defeated.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 26 to insert the proviso from line 3 to line 6, inclusive.

Mr. REED of Pennsylvania. I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered.

Mr. DENEEN. I ask that the question may again be stated.

The PRESIDING OFFICER. The question is upon agreeing to the committee amendment found on page 26, to insert the proviso beginning in line 3 to line 6, inclusive.

Mr. REED of Pennsylvania. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Barkley	Edge	Kendrick	Shortridge
Bayard	Fess	Keyes	Simmons
Bingham	Frazier	King	Smith
Black	George	McMaster	Steck
Blaine	Gerry	McNary	Stephens
Blease	Glass	Neely	Swanson
Borah	Glenn	Norbeck	Thomas, Idaho
Bratton	Goff	Norris	Thomas, Okla.
Brookhart	Gould	Oddie	Trammell
Bruce	Greene	Overman	Tydings
Burton	Hale	Phipps	Tyson
Capper	Harris	Pittman	Vandenberg
Caraway	Harrison	Ransdell	Wagner
Copeland	Hastings	Reed, Mo.	Walsh, Mass.
Couzens	Hawes	Reed, Pa.	Walsh, Mont.
Curtis	Heflin	Sackett	Warren
Deneen	Johnson	Schall	Waterman
Dill	Jones	Sheppard	Watson

The PRESIDING OFFICER. Seventy-two Senators having answered to their names, a quorum is present. The question is on agreeing to the committee amendment found on page 26, lines 3 to 6, inclusive. The clerk will state the amendment.

The CHIEF CLERK. On page 26, line 3, after the word "made," it is proposed to insert:

*Provided further, That no part of the sums appropriated or authorized to be contracted for in this paragraph shall be available for construction at Scott Field, Ill.*

The Chief Clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Connecticut [Mr. McLEAN]. Not knowing how he would vote, and in his unavoidable absence, I withhold my vote.

Mr. McKELLAR (when his name was called). On this question I am paired with the senior Senator from Wisconsin [Mr. LA FOLLETTE], and withhold my vote.

The roll call was concluded.

Mr. CURTIS (after having voted in the affirmative. I desire to ask if the Senator from Arkansas [Mr. ROBINSON] has voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. CURTIS. I have a pair with the senior Senator from Arkansas, and withdraw my vote.

Mr. SMITH (after having voted in the negative). I have a general pair with the Senator from Indiana [Mr. WATSON]. I find that he has not voted. Not being advised as to how he would vote if present, I transfer that pair to the Senator from New Jersey [Mr. EDWARDS], and will allow my vote to stand.

Mr. TRAMMELL. I desire to state that my colleague the senior Senator from Florida [Mr. FLETCHER] is unavoidably detained from the Senate.

Mr. RANSDELL. I desire to announce that my colleague the junior Senator from Louisiana [Mr. BROUSSARD] is detained from the Senate by reason of illness.

Mr. NORRIS. I wish to state that my colleague the junior Senator from Nebraska [Mr. HOWELL] is necessarily absent from the Senate on account of illness.

Mr. JONES. I have been requested to announce the following general pairs:

The Senator from Rhode Island [Mr. METCALF] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from New Hampshire [Mr. MOSES] with the Senator from Louisiana [Mr. BROUSSARD].

Mr. GERRY. I desire to announce that the senior Senator from Arkansas [Mr. ROBINSON], the senior Senator from Arizona [Mr. ASHURST], the junior Senator from Montana [Mr. WHEELER], and the junior Senator from Arizona [Mr. HAYDEN] are necessarily detained from the Senate on official business.

The result was announced—yeas 33, nays 35, as follows:

## YEAS—33

Bayard	Edge	Kendrick
Bingham	Gerry	King
Black	Goff	McMaster
Blaine	Gould	Norris
Borah	Greene	Oddie
Bruce	Hale	Overman
Burton	Harris	Phipps
Capper	Hastings	Reed, Pa.
Dill	Jones	Sackett

## NAYS—35

Barkley	Frazier	Pittman	Steck
Blease	Glenn	Ransdell	Stephens
Bratton	Harrison	Reed, Mo.	Thomas, Idaho
Brookhart	Hawes	Robinson, Ind.	Thomas, Okla.
Caraway	Heflin	Schall	Tydings
Copeland	Johnson	Sheppard	Vandenberg
Couzens	McNary	Shortridge	Wagner
Deneen	Mayfield	Simmons	Waterman
Fess	Neely	Smith	

## NOT VOTING—27

Ashurst	Gillett	McKellar	Robinson, Ark.
Broussard	Glass	McLean	Shipstead
Curtis	Hayden	Metcalf	Smoot
Dale	Howell	Moses	Steiwer
Edwards	Keyes	Norbeck	Watson
Fletcher	La Follette	Nye	Wheeler
George	Larrazolo	Pine	

So the amendment of the committee was rejected.

The VICE PRESIDENT. The Secretary will state the next amendment passed over.

The CHIEF CLERK. The remaining committee amendment is on page 34, line 24, where the committee proposes to strike out the words "lighter-than-air craft" and insert "observation balloons," so as to read:

Not exceeding \$2,255,930 may be expended for experimental and research work with airplanes or observation balloons and their equipment, including the pay of necessary civilian employees; no part thereof may be expended for the production of lighter-than-air equipment.

Mr. REED of Pennsylvania. Mr. President, this amendment involves somewhat the same question, but does not restrict the building at Scott Field. It merely confines the Army to the observation balloons which the Army authorities agree are necessary for Army use. It deals with experimentation and research only.

I hope the amendment will be adopted.

Mr. DENEEN. Mr. President, on this matter the Army officers are unanimously of the opinion that the lighter-than-air service should be had at Scott Field and these other fields. This relates not alone to Scott Field but to all the Army fields.

"Lighter than air" is the generic term. "Observation balloons," following, is the specific term. We should have the general definition; and I think the "lighter-than-air" amendment should be defeated.

Mr. BINGHAM. Mr. President, I do not think it is quite understood that this amendment refers solely to the experimental and research work, which is not carried on at Scott Field or other fields, but is carried on near Dayton, at Wright Field; and the question is whether the experimental and research work in connection with lighter than air should be divided between the Army and Navy, as it is at present, or should be confined to the Navy.

The committee's amendment does not allow the money for experimental purposes at Wright Field to be used for anything in lighter than air except observation balloons. It does not affect the expenditures at any other field.

Mr. HAWES. Mr. President, I desire to state that this is another amendment that is not supported by the Navy and is not supported by the testimony of the Army before the committee and was defeated in the House. Having stricken out the last amendment, all that will be done if this one is stricken out is to leave the subject open for further consideration by Army officers and Navy officers.

Mr. BINGHAM. Mr. President, will the Senator tell us when and where it was stricken out in the House?

Mr. GLENN. Mr. President, I should like to read briefly the statement of the Chief of Staff, General Summerall, in relation to this matter, on page 70 of the record of the Senate committee hearings:

Our best judgment—and the Air Corps is in accord with what I say—is that we should not abandon in the Army lighter-than-air equipment nor leave it to commercial enterprise or to the Navy to keep it on a basis of development that we think necessary.

On page 232 I read the statement of Mr. Davison, Assistant Secretary of War:

Now, then, the War Department takes the attitude that we should continue from a military standpoint, lighter-than-air operations on the same general basis as is provided in the act of July 2, 1926. We believe

that is a sound basis. We believe that it is important from a military standpoint to keep abreast of the times in lighter-than-air development.

The War Department does not think that lighter-than-air development at the present time, in any event, is anything like as important as the heavier-than-air development; but we do believe that we should keep abreast of the times; and we should have a small group of officers and men who are technically familiar with and would be technically qualified on the various phases of this branch of aviation in order that we might be able to take advantage of any development that might be made during the next few years. Since last year, as a matter of fact, there has been a very greatly increased interest in the development of lighter-than-air equipment throughout the world, and that applies in this country as well as Europe.

That is the general position of the Army, the Chief of Staff, the Assistant Secretary of War, and there is no testimony in the record to the contrary.

The PRESIDING OFFICER (Mr. Fess in the chair). The question is on agreeing to the committee amendment. [Putting the question.] The ayes have it, and the amendment is agreed to.

Mr. NORRIS, Mr. HEFLIN, and other Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HEFLIN. Mr. President, I was trying to get a division of the vote.

Mr. NORRIS. For that purpose I shall be glad to yield, Mr. President.

Mr. HEFLIN. I am not in favor of the amendment. The Chair declared that the ayes had it. I think we ought to have a rising vote on it.

Mr. REED of Pennsylvania. I call for the yeas and nays, Mr. President.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. CURTIS (when his name was called). Making the same announcement as on the previous vote of my pair with the Senator from Arkansas [Mr. ROBINSON], I withhold my vote.

Mr. NORRIS (when Mr. HOWELL's name was called). I desire to state that my colleague the junior Senator from Nebraska [Mr. HOWELL] is necessarily absent from the Senate on account of illness.

Mr. BRATTON (when Mr. LARRAZOLO's name was called). I desire to announce that my colleague [Mr. LARRAZOLO] is absent on account of illness.

Mr. McKELLAR (when his name was called). On this vote I am paired with the senior Senator from Wisconsin [Mr. LA FOLLETTE], and therefore I withhold my vote.

The roll call was concluded.

Mr. GLASS. Making the same announcement as on the previous vote, I withhold my vote.

Mr. JONES. I desire to announce the following general pairs:

The Senator from New Hampshire [Mr. MOSES] with the Senator from Louisiana [Mr. BROUSSARD]; and

The Senator from Rhode Island [Mr. METCALF] with the Senator from Florida [Mr. FLETCHER].

Mr. RANDELL. I desire to announce that my colleague [Mr. BROUSSARD] is detained by illness.

Mr. TRAMMELL. I wish to announce that my colleague [Mr. FLETCHER] is unavoidably detained from the Senate.

Mr. GERRY. I desire to announce that the Senator from Arkansas [Mr. ROBINSON], the Senator from New York [Mr. WAGNER], the Senator from Iowa [Mr. STECK], the Senator from Nevada [Mr. PITTMAN], and the Senator from Virginia [Mr. SWANSON] are detained on official business.

The result was announced—yeas 31, nays 35, as follows:

#### YEAS—31

Bayard	Dill	Kendrick	Reed, Pa.
Bingham	Edge	King	Trammell
Black	Gerry	McMaster	Tyson
Blaine	Goff	Norbeck	Walsh, Mass.
Bruce	Greene	Norris	Walsh, Mont.
Burton	Harris	Oddie	Warren
Capper	Hastings	Overman	Watson
Caraway	Jones	Phipps	

#### NAYS—35

Ashurst	Frazier	Pine	Simmons
Barkley	Glenn	Ransdell	Smith
Blease	Harrison	Reed, Mo.	Stephens
Bratton	Hawes	Robinson, Ind.	Thomas, Idaho
Brookhart	Hefflin	Sackett	Tydings
Copeland	Johnson	Schall	Vandenberg
Couzens	McNary	Sheppard	Waterman
Deneen	Mayfield	Shipstead	Wheeler
Fess	Neely	Shortridge	

#### NOT VOTING—29

Borah	Fletcher	Hale	Larrazolo
Broussard	George	Hayden	McKellar
Curtis	Gillett	Howell	McLean
Dale	Glass	Keyes	Metcalf
Edwards	Gould	La Follette	Moses

Nye  
Pittman  
Robinson, Ark.

Smoot  
Steck

Steiwer  
Swanson

Thomas, Okla.  
Wagner

So the amendment of the committee was rejected.

Mr. WALSH of Massachusetts. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The VICE PRESIDENT. The clerk will read the amendment.

The CHIEF CLERK. On page 66, after line 13, add a new paragraph, as follows:

*And provided further,* That no part of the moneys herein authorized to be appropriated shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any ordnance, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government arsenals or navy yards of the United States, when time and facilities permit, and when, in the judgment of the Secretary of War, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government.

Mr. WALSH of Massachusetts. Mr. President, this amendment is similar to that contained in the appropriation bills for the Navy. I think there is no objection to it. It merely provides for giving preference when possible to Government arsenals in ordnance work and materials. I believe the Senator in charge of the pending bill is willing to accept it, and I therefore move its adoption.

The amendment was agreed to.

Mr. NORRIS. Mr. President, I desire to offer an amendment, and before doing so I want briefly to explain the amendment. I would like to have the RECORD show, when this bill goes to conference, what the facts are in regard to the matter covered by the amendment.

Mr. HAWES. Mr. President, I have a small amendment which affects the part of the bill we have been discussing to-day and which we discussed a part of yesterday afternoon. If the Senator would allow me, I wish to present that amendment at this time.

Mr. NORRIS. There will be plenty of opportunity for the Senator to offer his amendment.

Mr. HAWES. Very well.

Mr. NORRIS. Mr. President, in northern Nebraska there is a small town called Niobrara, one of the oldest towns in the State. It has a population of about a thousand people, as I remember it. It is on the south bank of the Missouri River, which at that point forms the line between Nebraska and South Dakota. For several years the river has been gradually encroaching, coming nearer and nearer to the town, and the last high water in the Missouri brought the river very close to the town. Another period of high water will put the town out of existence; and because if we wait for legislation in the regular course it would perhaps be too late, at the beginning of this session I offered a joint resolution authorizing an appropriation of \$250,000 to be expended by the War Department in revetting the banks of the Missouri River at that point. By the way, the revetting would have to take place on the opposite side of the river, so that the people of the town of Niobrara, or even of the State, would have to go out of the jurisdiction of the State if they made the repairs necessary to be made to save the town from destruction.

The Corps of Engineers of the Army are well familiar with the situation and are not opposed to this amendment. I think all of those who have investigated it are in favor of it, but they have not been able to use any public funds in that direction because it was not authorized.

I offered a joint resolution, as I have said, which was referred to the Committee on Commerce, and after a hearing before that committee lasting one entire day the committee unanimously recommended the passage of the resolution. It afterwards came up in the Senate and was passed. I have on my desk a report of the hearings before the committee. I think there is nothing in the matter that would not appeal to one who knew the facts. I know of no other way to save this town from destruction than that provided for by that resolution.

It is true that high water may not occur there again in a year, it may not occur in 10 years, but it may occur this very spring, depending on the condition of the river. The town can not withstand another period of high water such as was experienced there two years ago. The joint resolution which I introduced provided that one-third of the expense should be paid by the citizens of that locality.

With this explanation I offer the amendment which I send to the desk, which is a part of a joint resolution the Senate has already passed at this session of Congress.

The PRESIDING OFFICER (Mr. Fess in the chair). The clerk will report the amendment.



Mr. McMASTER. Mr. President, would the Senator object if I attached to his amendment one I have to offer?

Mr. NORRIS. I have no objection if they could go together; but I do not know whether that could be done or not.

Mr. McMASTER. I will just add mine to the Senator's. Would that be all right?

Mr. NORRIS. I have no objection, although it may possibly result in the defeat of my amendment.

Mr. McMASTER. Very well; I will wait.

The PRESIDING OFFICER. The clerk will read the amendment proposed by the Senator from Nebraska [Mr. NORRIS].

The CHIEF CLERK. On page 79, after line 24, insert:

For bank protection for the control of floods and the prevention of erosion of the Missouri River at and near the town of Niobrara, in the State of Nebraska, said work to be carried on under the control and supervision of the Chief of Engineers of the War Department: *Provided*, That the local interests shall contribute one-third of the cost of the said work.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. TYDINGS. Mr. President, I have an amendment which I will send to the desk and ask to have read, after which I would like to make a few remarks in explanation of it.

Mr. McMASTER. Mr. President, will the Senator yield while I offer a small amendment?

Mr. NORRIS. I will say to the Senator from Maryland that the Senator from South Dakota has an amendment similar to the one I offered, and presenting the same conditions, with the exception that it refers to an interstate bridge that is about to be washed away.

Mr. TYDINGS. I may say to the Senator that my amendment will not take three minutes, I think, and the Senator from South Dakota then may offer his amendment.

Mr. McMASTER. Very well.

The PRESIDING OFFICER. The clerk will report the amendment offered by the Senator from Maryland.

The CHIEF CLERK. On page 80, after line 15, insert:

That the Chief of Engineers of the United States Army, under the direction of the Secretary of War, is authorized and directed to make an examination and survey of the Conduit Road from the District of Columbia line to Great Falls, Md., of Cabin John Bridge, and of land contiguous to that part of such road and to such bridge, for the purpose of making recommendations for improving and widening that part of such road and such bridge, and, upon the completion of such examination and survey, to report to Congress the results thereof, together with estimates of the probable cost of carrying out such recommendations. There is hereby appropriated the sum of \$4,800, or so much thereof as may be necessary, to carry out the provisions of this paragraph.

Mr. TYDINGS. Mr. President, I would like to say to those who are interested in this amendment that the Government now owns all the road, that the Budget Bureau is in favor of this amendment, and that the chairman of the Committee on Appropriations, and the chairman of the subcommittee on military affairs of the Appropriations Committee, have both familiarized themselves with it, and, I am free to state, are in favor of it. It is only for a survey of a road which the Government now owns, and I hope there will be no objection to it.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. TYDINGS. Certainly.

Mr. KING. I notice that there is a movement on foot to acquire on both sides of the Potomac River, between here and Great Falls or between here and Cabin John Bridge, a considerable area of land to be used as a national park. I was wondering if that plan, which would cost from \$10,000,000 to \$20,000,000 if carried into effect, would not dispense with this road.

Mr. TYDINGS. I do not think it would, because the plan would not be put in operation for some time and the road is now in daily use. The Government owns all the road and has built practically all of it except this one link. My State is powerless to do anything because we do not own the road. The Federal Government owns it, and all I have asked for is a survey. If the park is finally decided upon, this road will not in any way interfere with the park; but it will take care of a very immediate need. The road is in very bad condition, is very dangerous, and a number of serious accidents have occurred upon it. I am simply asking for a survey, and that is all.

Mr. KING. Why can not the Senator offer a separate measure?

Mr. TYDINGS. There is no basis upon which it can be fixed covered by any measure now before the Senate for consideration. I had hoped to get all the facts before the Senate so that

Senators would know exactly what they were voting upon when the matter came up, but I thought I would ask merely for a survey at this session.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Maryland [Mr. TYDINGS].

The amendment was agreed to.

Mr. McMASTER. Mr. President, I desire to offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 79, at the end of the page, after the amendment submitted by Mr. NORRIS, to insert:

That there is appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$250,000, or so much thereof as may be necessary, for bank protection for the control of floods and the prevention of erosion of the Missouri River at and near the town of Yankton, in the State of South Dakota; said work to be carried on under the control and supervision of the Chief of Engineers of the War Department: *Provided*, That the local interests shall contribute one-third of the cost of said work.

Mr. McMASTER. Mr. President, the amendment is in the language of the bill which I had previously introduced as a companion bill to that of the Senator from Nebraska [Mr. NORRIS] and which went before the Committee on Commerce. They recommended the bill favorably to the Senate, it was passed by the Senate and went to the House, but the committee of the House feels that this is the proper place for the amendment to be inserted.

Mr. TRAMMELL. Mr. President—

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. TRAMMELL. No, Mr. President! The Chair will pardon me, but I feel that when a Senator was addressing the Chair before the Chair announces the amendment is agreed to, that he has a right to have recognition prior to the vote being taken.

The PRESIDING OFFICER. The Chair was not aware that the Senator desired to speak on the amendment.

Mr. TRAMMELL. I certainly was speaking loud enough to be heard all over the Chamber.

The PRESIDING OFFICER. Does the Senator want to have the vote reconsidered?

Mr. TRAMMELL. Yes; I ask that it be reconsidered.

The PRESIDING OFFICER. Without objection, the vote by which the amendment was agreed to will be reconsidered.

Mr. TRAMMELL. As an amendment to the amendment proposed by the Senator from South Dakota [Mr. McMASTER], I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will report the amendment to the amendment.

The CHIEF CLERK. Add at the end of the amendment submitted by the Senator from South Dakota the following:

That for the purpose of navigation and flood control of Lake Okeechobee, Fla., and the Caloosahatchee River, Fla., by the deepening and widening of the said Caloosahatchee River, the enlarging and deepening of the canal connecting said river with Lake Okeechobee, the enlarging and deepening of canals and improving of natural waterways from said Lake Okeechobee to the Atlantic Ocean, the constructing of channels, the construction of dikes on the border of Lake Okeechobee, the construction of dams, locks, and such other works as necessary for the accomplishment of the purpose of this act, the sum of \$5,000,000, or so much thereof as may be necessary, be, and the same is hereby authorized to be appropriated out of any funds in the Treasury not otherwise appropriated.

That said improvements herein authorized and directed shall be made by the Secretary of War under the supervision and direction of the Board of Engineers for Rivers and Harbors in accordance with plans submitted in House Doc. No. 215 made to the Seventieth Congress, first session, and such modified, additional, and supplemental plans as may be necessary and hereafter adopted by the said board for providing ample flood control and improvement of navigation contemplated by this act, and the cost thereof shall be paid from the appropriation herein made, except and provided that all rights of way and lands necessary in the accomplishment of the project shall be furnished by the owners thereof free of cost to the Government.

Mr. REED of Pennsylvania. Mr. President, when the amendment of the Senator from South Dakota was offered I did not object to it because it had been previously passed upon by the Committee on Commerce and had passed the Senate in the form of a bill earlier in this session. The amendment now offered by the Senator from Florida has not been recommended by the Committee on Commerce, has not passed the Senate in any form, and therefore I feel obliged to make the point of order against it.

Mr. TRAMMELL. Mr. President, I would like to be heard a moment on the point of order.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. TRAMMELL. Mr. President, I have offered this as an amendment to the amendment of the Senator from South Dakota, which the Senator from Pennsylvania, in charge of the appropriation bill, seems willing to accept. I do not think that it is irrelevant if the amendment to which I have proposed it as an amendment is relevant. It should properly be considered as coming within the parliamentary rules.

I desire to state my object in offering the amendment. My colleague and I and also the Members of the House from Florida, since Congress convened in December, have been very diligent in our efforts to obtain relief for an emergency situation in the State of Florida. Of course, we have pursued our efforts through the proper committees both in the House and in the Senate. I little dreamed that emergency measures could be tacked on to this particular bill, but that seems to be the practice and seems to be accepted as proper, so under those circumstances I feel that all emergency cases should be treated alike.

I have no objection to the measures which have been proposed by the Senator from Nebraska [Mr. NORRIS] and the Senator from South Dakota [Mr. McMASTER]. I am not objecting to them, but I think we have a situation in Florida which is equally as meritorious and as much of an emergency as exists in either of the other cases. In the State of Florida in what is known as the Okeechobee Lake section of the State in 1926 we suffered a very disastrous flood as a consequence of the hurricane of that time. Again in 1928 we had a recurrence of that disaster in a more intense hurricane and a more disastrous flood at Lake Okeechobee. There were something more than 2,000 lives lost in that disaster.

We have there a situation which is equally as dangerous as to the possibility of a recurrence of the disaster as that which exists in the two cases covered by the amendments which have just been sent to the desk. We are just as apt to have another flood in that locality that will be destructive of life and destructive of property as in the two cases which seem to be perfectly acceptable and agreed upon as possessing merit sufficient to entitle amendments relating to them to be incorporated in the pending bill.

The engineers have carried on an investigation in that territory, and as a result of the investigation referred to in Document 213 relating to the amendment which I propose, the engineers recommended certain improvements. I recall that they mentioned that dikes should be built on the south side of the lake and that there should be a deepening and widening of the Caloosahatchee River as a means of flood control. The Chief of Engineers recently appeared before the House committee and made recommendations in regard to the improvements there. The improvements recommended by the Chief of Engineers would come within the purview of the amendment which I have proposed. In fact, in the preparation of the bill, the language of which I have offered as the amendment, I employed the language which has been set forth in the report of the engineers based upon the investigation which they conducted last year.

We have been asking for this relief. I think it is equally as meritorious as the cases which are covered by the other amendments to which I have referred. If the Senate is going to depart from its rule of not allowing amendments of this character to be placed upon an appropriation bill, why should we in Florida not have the same treatment as other parts of the country? Mr. President, I have been a Member of the Senate for nearly 12 years. I have sat here and voted time and time again for relief to all sections of the country and, I will say in particular, for relief to the western part of the country in the way of all kinds of contributions and donations and every character of improvement, and yet when someone from the South rises and submits an amendment to provide a little relief for a Southern State or a section of the South, as a rule he can not get an attentive ear, and we can get even no sympathy.

I ask the same consideration for my State and for my part of the country, the same sympathetic consideration, and the same friendly attitude which I have manifested toward the western part of our great country during the 12 years I have been a Member of the United States Senate. We recently passed the Boulder Dam bill involving millions and millions of dollars, and I supported it, and yet when we ask for a little relief in connection with the improvement of flood conditions in the territory mentioned in my amendment we have a point of order raised.

When we ask for farm relief, when we ask for relief for the farmers who suffered so disastrously during the hurricane of 1928, they having suffered equally with the people of Porto Rico so far as the individuals were concerned, we have not been able to get it. We have been struggling all through the session of

Congress, thus far unavailingly. I very greatly appreciate that the Senate saw proper to pass some bills of the kind, but in the House we have been unable to get any action.

A bill was presented here to provide \$3,000,000 for the purchasing of seed for certain Western States, and it passed without any question. I was very glad to support it. All we are asking is fair treatment and that my State be considered as a part of the Union. We ask for the same generosity that has been displayed toward other parts of our country. I am not making any complaint about the amendments which have been offered heretofore, but I hope to have my amendment treated in the same manner. Those amendments I believe are meritorious, but we have an equally meritorious case presented by my amendment.

Mr. HEFLIN. Mr. President, will the Senator yield?

Mr. TRAMMELL. I yield.

Mr. HEFLIN. Mr. President, I am in hearty sympathy with the Senator from Florida; I think he is absolutely right; but I want to suggest to him that the opposition to his amendment does not come from the West, but from Pennsylvania, I believe.

Mr. TRAMMELL. If the Senator will pardon me, I want to correct him. I did not say the opposition came from the West; I said that there was a spirit of generosity toward that section which did not prevail in regard to the southern part of our country. I have been one of those who have participated in that generosity toward the West and I wanted to do all I could to assist them.

Mr. HEFLIN. The Senator has done so. I am going to ask the Senator if it is not a fact that the Agricultural Committee has looked into the matter about which he has been speaking, seeking to give some measure of relief, and has expressed its approval of legislation looking to that end.

Mr. TRAMMELL. That was in regard to farm relief; that legislation, of course, has been passed by the Senate, but has been held up in the other branch of Congress.

Mr. HEFLIN. It has not been acted on by the other House?

Mr. TRAMMELL. No; we have not obtained any relief at all. We passed a bill here providing \$15,000,000 for sufferers from the hurricane in Porto Rico, providing that loans up to the extent of \$25,000 could be made even to an individual farmer; that \$100,000 should be provided for the purpose of free seeds to be given to the people of Porto Rico; and that \$2,000,000 should be donated as a gift for the reconstruction of highways in Porto Rico; and yet in the case of our plea on behalf of American citizens who were equally as stricken as the result of the hurricane in 1928, one month has passed, two months have passed, the end of the session of Congress is almost here, and we have not yet obtained any relief for those American citizens living upon American soil who suffered equally with those in Porto Rico.

Mr. COPELAND. Will the Senator from Florida yield to me?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from New York?

Mr. TRAMMELL. Certainly.

Mr. COPELAND. I am in hearty accord with the Senator from Florida, and am anxious to help him, but I feel that he has failed to use his most convincing argument. He should remind the Senators on the other side of the Chamber that Florida is now a Republican State and should be "kept in the Union" by being given the proper appropriations.

Mr. TRAMMELL. I think that such an argument would have quite an appealing influence with my good friends on the other side. I am glad the Senator from New York reminded me of that.

The PRESIDING OFFICER. May the Chair inquire of the Senator from Florida whether any committee has recommended this item?

Mr. TRAMMELL. No committee has recommended this exact amendment, but the War Department has reported upon the project and recommended the improvement. The Chief of the Board of Engineers appeared before the House committee some two or three weeks ago and recommended improvements involving even a larger expenditure than that covered by the amendment which I have proposed.

The PRESIDING OFFICER. The Chair will have to sustain the point of order.

The question now is on the amendment offered by the Senator from South Dakota [Mr. McMASTER].

Mr. TRAMMELL. Mr. President, I desire it to be understood that I am not opposing at all the amendment which has been presented by my good friend from South Dakota, but I wished also to bring before the Senate this other case, which I consider a very meritorious one. If we can not get relief at this time, I hope that we may obtain it at a very early date.

Mr. KING. Mr. President, I should like to ask the Senator from South Dakota what obligation there is upon the part of



the Federal Government to undertake the work provided for in the amendment which he has offered?

Mr. McMASTER. The same obligation there was under the flood relief bill which we passed containing an appropriation of \$500,000,000 to prevent the destruction of property by flood. The same principle exactly is involved, there is no difference.

Mr. KING. The principle may be the same, but I fail to perceive it. As I understand, a railroad built a bridge over the Missouri River—

Mr. NORRIS. No, Mr. President; it is an automobile bridge. Will the Senator from Utah permit an interruption?

Mr. KING. Certainly.

Mr. NORRIS. It is a public bridge, Mr. President, in the construction of which the two States participated. It is the only bridge for a good many miles which is above that portion of the river the improvement and navigation of which have already been taken over by the Government as a matter of law. Everybody concedes it is at a point where the river will eventually become navigable. It is navigable now, of course, but it needs some work, although the Government has not authorized the improvements on the river that far up. If something of this kind is not done, then the bridge is likely to be spanning a lot of dry sand and the river will be running around one end of it.

Mr. KING. Why does not the State, if it constructed the bridge, take the necessary steps to protect it?

Mr. NORRIS. The amendment provides that one-third of the expense shall be contributed by the parties interested.

It is exactly of equal merit with the amendment which we have adopted, excepting that in that case a larger number of people and their homes are involved. However, the principle in this instance, as I understand, is exactly the same.

Mr. KING. Mr. President, I do not find myself in accord with the Senator as to the obligation of the Federal Government in connection with the inland waterways of the United States. I was opposed to the principle announced in the Mississippi River flood control bill to the effect that the United States had the right to, and did, assume control over all the rivers, streams, and springs between the summit of the Rocky Mountains and the top of the Allegheny range. The principle announced in that bill, as I interpret it, was: That the Federal Government would take charge of these streams and be responsible for their control. Under this assumption of authority by the Federal Government the States were to be denied any control over the streams; their police powers were not to be employed in any manner which would give them jurisdiction or control over the waters or the banks and beds of such streams whether interstate or intrastate. The Federal Government was to assume the burden of flood control and the States be relieved therefrom. It is obvious that this policy will impose upon the Federal Government enormous burdens; indeed, it is difficult to visualize just what the costs will be to the United States.

When the Mississippi River bill was before the Senate, the chairman of the committee admitted that the cost to the Government in the Mississippi Valley would be \$750,000,000 or more. I have been told by persons more or less familiar with the matter that the cost for the improvements in the lower reaches of the Mississippi River will exceed a billion dollars. What the costs will be to the Federal Government, if it is to be responsible for all the streams and is to control them and protect the banks and the towns and farms within the watersheds, no one can predict, but it is certain they will be not only hundreds of millions of dollars but several billion dollars.

Mr. President, I find no warrant in the Constitution for many of the appropriations made by Congress for navigable and non-navigable streams within the United States. Congress has the power to prevent interference with navigation, but that grant of power has, in my opinion, been perverted or expanded or prostituted until the doctrine is now announced by some that the Federal Government owns the streams in all the States and may exercise such control over them as to it may seem proper. There is to be no limitation upon its authority and the States are powerless to exercise any control or jurisdiction over the streams within their borders.

Something has been said during the debate about storms and cyclones which caused destruction of property and inundated private lands. The contention is made that the Federal Government should pay for these injuries.

Recently in the city of Washington there was a cyclone; the rain fell in torrents, property was damaged by the floods, and houses were unroofed. I suppose under this doctrine the Federal Government is responsible. In my own State a few years ago there was a heavy rainfall and a mighty torrent rushed down from the mountain side destroying farms and houses and worked devastation and ruin within a rather restricted area. Under the view which I have heard expressed in this Chamber,

Congress should make an appropriation to reimburse the unfortunate persons who were the victims of this flood.

Yesterday the Senate voted to take from the Treasury over \$4,000,000, and pay the same to the State of California because that State had expended considerable sums in improving the Sacramento River. The money expended by California was for the benefit of that State and its inhabitants. It was expended not at the request of the Federal Government but by the State because of its duty to its own people. Congress seems to have adopted the policy that the Government is not only to be responsible for all improvements and developments and expenditures in all streams throughout the United States in the future but the Federal Government is to tax the American people and then make appropriations to pay to the States all that they have expended, from the beginning of the Government I suppose down until the present time, upon the streams within their respective borders. Mr. President, this is a most dangerous policy, one which I opposed when the Mississippi flood control bill was before the Senate and one which I protest against now. That policy is in violation of the rights of the States; it takes from them the control of the streams within their borders; it relieves them of responsibilities which it is their duty to assume. It places upon the Federal Government enormous burdens the extent of which and the evils resulting from which it is impossible to determine.

Mr. SIMMONS. Mr. President, I think that we are going far afield in our legislation on this particular bill. With most of the legislation relating to other subjects than that embraced in the bill itself I have been in sympathy, and am still in sympathy, because I sympathize with the distress afflicting people in this country growing out of certain providential visitations of an extraordinary character during the last few years; but I think, after all, it is a great deal better for us in legislating to follow the line that has heretofore been prescribed for safeguarding against hasty legislation.

I think every member of the Commerce Committee will bear me out in the statement that there is no member of that committee, nor of the Senate, who sympathized more profoundly than I with the people living along the Mississippi River who were victims of the great flood which produced the overflow that was so disastrous to that section of our country. I supported that legislation; indeed, I was inclined to be a little radical in my support of it; I went probably further than any member of the committee in my support of it; but we followed the ordinary lines of legislation with respect to it and acted upon the report of a commission which had made a very thorough investigation and which furnished the committee with data as the basis of their action.

We were very particular in making that vast appropriation for flood control—the expense of which was to be paid by the Government—to reserve the question for future determination as to what expenditure the States which were affected by the flood and which were the recipients of the benefits of the appropriation should contribute. We have in this bill, without any regard to what may be the ultimate policy of the Government with respect to these matters, made definite appropriations, and I think we have set a precedent that may trouble us in the future.

On yesterday, with very little debate—scarcely any—and without any reference to a committee, I think, we adopted an amendment to this bill appropriating nearly \$4,000,000 for the benefit of four States that were affected by the flood.

Mr. CARAWAY. Mr. President, will the Senator yield to me?

Mr. SIMMONS. I yield.

Mr. CARAWAY. There was a favorable report from the Committee on Agriculture and Forestry on that bill.

Mr. SIMMONS. The bill was reported from the Committee on Agriculture and Forestry. Ordinarily those bills are referred to the Committee on Commerce; but there was a report. I could not find it in my heart then to object, and I do not object now, and I am not criticizing the action of the Senate in any way whatsoever. I am simply saying that it establishes a precedent.

A flood has visited my State. A flood has visited the State of the distinguished senior Senator from South Carolina [Mr. SMITH], who sits at my left. A flood has swept over the State of the distinguished Senator from Georgia [Mr. GEORGE], who sits at my left. A flood has swept over the State of the distinguished Senator from Florida [Mr. TRAMMELL], who has just addressed the Senate. It was a flood the like of which has never been seen before in either of those States, carrying ruin in its wake to thousands and tens of thousands of homes.

In my State the disaster was not as great as it was in the other Southern Atlantic States, but it was very heartrending. It absolutely destroyed the crops of many farmers. It overflowed the rivers, and destroyed expensive roads which had

been constructed by the States. Concrete roads were undermined, and fell in and had to be rebuilt. Bridges were swept away over many of the main waterways of the States, and had to be rebuilt by the State or by the county, depending upon whether they happened to be along the State system or the county system of roads. I have had no estimate made, and I presume the Senator from South Carolina and Georgia and Alabama and Florida have had no estimate made, as to the amount of damage to the roads and the bridges in those States. I am sure that it was very much greater in the other States than in my State; but in my State I am sure the amount of damage done runs well up into the millions of dollars.

We have now, by legislation, recognized the duty and the obligation of the Government to assume the burden of replacement and reimbursement to the States. Of course that means that each of these States, if they are assertive of the rights which the Senate has declared that they possess, will at once proceed to have an investigation with a view to ascertaining what was the damage, and in the future they will be knocking at the doors of Congress asking that the Government reimburse them.

Where this legislation will end, I do not know; but I do feel that bills of this kind ought to be carefully examined by the proper committees of Congress, and that the Senate ought to have a report.

The Senator from Arkansas [Mr. CARAWAY] says that they had a report in that case. I would make no trouble about that case if there were no report, because their distress is so great and my sympathy with those people is so profound that I am willing to do almost anything, regular or irregular, for their relief; but as to these other States we ought to be regular about it, and we ought not to undertake what is really road work or river and harbor work without having bills referred to a committee and investigated by the committee and by the engineers, and having the Congress put in possession of accurate information before it acts.

I am not speaking in opposition to any bill. I am only saying that I think the character of the amendments we are now making to this bill, probably without proper investigation in some instances, sets a new precedent and opens the door for claims against the Government that otherwise probably never would have been thought of.

I have profound sympathy with the Senator from Florida and his people. That State suffered terribly and exceptionally. In certain localities of that State the result of the flood of 1928 was as disastrous as the result of that which overflowed the Mississippi River's banks at an earlier date. The distress of the people was almost unspeakable, and I am willing to go very far toward relieving them. I am willing to abandon the precedents of the Senate and the rules of the Senate in order to help them; but I want to file notice now that other States similarly situated which have made no demand will regard this action as an invitation to them to make demand not only for relief from the disasters that have taken place but for relief from similar disasters that may take place in the future; and we will find the Government finally engaged in a vast field of reparation and restoration wherever the operation of the laws of nature shall result in injury to the property of the people of the different sections of the country.

Like the Senator from Florida, if these benefits are to be dealt out, I want the section of the country from which I come to be treated in the same spirit of liberality that is manifested in the treatment of other sections of the country; but I think it would be much safer for us to have legislation of this character upon a bill framed for this purpose and not upon a bill which relates to the military operations of the country. It is so easy to secure amendments to bills of this character, especially when the Senate is weary and tired and anxious to get through its business, and we are in danger of hasty and ill-considered legislation.

I did not object to the amendment of the Senator from Nebraska [Mr. NORRIS]. That had been before the Commerce Committee. It has not been the rule of the Commerce Committee to report bills of that character without referring them to the Army engineers for investigation. I do not know whether this amendment was referred in that way or not. It makes no difference. The committee acted upon it. If it did so without that reference, it acted contrary to its usual custom. The same thing was true, I take it, of the amendment offered by the Senator from South Dakota [Mr. McMASTER]. The committee acted upon it. The committee has not acted upon the bill introduced by the Senator from Florida [Mr. TRAMMELL]. The bill introduced by the Senator from Florida is distinctively a river and harbor proposition. It is for the improvement of a waterway. It is for the enlargement of a

waterway. It involves an expenditure of \$3,000,000 for the improvement of one of the waterways of his State.

I am not going to object to it, because I know that right there was the center of that terrific storm which destroyed the lives of a large number of the inhabitants of that territory and devastated their property. My heart is too big to raise a question of order or a question of regularity with reference to a bill that looks to their relief, and I will not do it; but, Mr. President, I hope that this method of legislation will not be continued. I think it would be better to invoke our rules, but they ought to be invoked in the beginning. They ought to be invoked as to every bill that is presented, and not invoked merely as to a part of them.

The chairman of the Committee on Commerce is not present. If he had been present, I would have asked him to call the attention of the Senate to what is before us as the result of the precedent we set here. As the chairman of the committee is not here, however, and I feel that some member of that committee ought to do it, I am doing it; but I want it distinctly understood that in doing so I do not voice any opposition to the action of the Senate yesterday with reference to the amendment offered by the Senator from Arkansas [Mr. CARAWAY], because that, too, like the one offered by the Senator from Florida, was to relieve a situation in a section of the country that has suffered to an extent that invokes the sympathy not only of the United States but of the whole world.

Mr. SMITH. Mr. President, I want to join with the Senator from North Carolina [Mr. SIMMONS] and express my views in regard to this matter. I have had no advice from my State as to the amount of damage done. I know, roughly speaking, that, so far as the hard-surfaced roads, as well as others, but particularly the hard-surfaced roads, and the expensive bridges which have been built, a great percentage of them in cooperation with the Government, were concerned, they were practically destroyed in sections.

I had no intimation whatever that any such relief would be asked as has been asked here. My State has given me no intimation that they desired any reimbursement for the moneys they had to expend, mounting into the millions, in order to repair the roads which were damaged by the unprecedented floods and storms. But I feel that I would be derelict in my duty as a representative in part of my State in particular, and of the Government as a whole, if I did not join with the Senator from North Carolina in his suggestion that this matter ought to be considered in a comprehensive manner, so that every State and every community that has a just claim on the same basis that has already been acted upon might submit its claim and have it passed upon by a properly appointed committee.

The amount of damage to property and roads in the three States of South Carolina, Georgia, and Florida, running southward in the territory covered by that storm and by the preceding flood, was, in my opinion, as great as the damage in the Mississippi Valley from the disastrous flood of a few years ago.

In sections the inhabitants were driven out, the livestock was destroyed, the houses in great areas were either destroyed or partially ruined, and the crops were a total loss. The area covered was not as great, of course, as that covered by the great Mississippi flood, but the damage was as intense and disastrous over the region it did cover.

I do not know whether, in conference or elsewhere, the appropriations will be maintained, but if they are I shall insist that my State, which has suffered perhaps more than any other one in the territory visited by the storm and the floods referred to, shall be recognized on the same basis on which recognition has been given to those affected by the same elements in other States.

I do not know whether the precedent is a wise one or not. I do not know whether it can be carried out to its fullest extent, in justice and equity, without disastrous results following from the establishment of the precedent, but if the precedent is established, justice and equity demand that the relief shall be equally apportioned among those who suffered from like causes.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from South Dakota [Mr. McMASTER].

The amendment was agreed to.

Mr. HARRIS. Mr. President, I send to the desk two amendments, to which I am sure there will be no opposition. One is to extend the time for the building of a road until the Legislature of Georgia can meet and accept the road upon the part of the State.

The PRESIDING OFFICER. The clerk will report the amendment.



The LEGISLATIVE CLERK. On page 72, after line 22, insert the following:

Paving La Fayette extension road: The appropriation of \$193,500 for the "paving of Government road from Lee & Gordon's mill to La Fayette, Ga.," contained in the second deficiency act, fiscal year 1928, approved May 29, 1928, is hereby continued and made available until expended (act May 29, 1928, vol. 45, p. 929).

Paving Ringgold Road: The appropriation of \$117,000 for "Government road, known as the Ringgold Road, extending from Chickamauga and Chattanooga National Military Park to the town of Ringgold, Ga.," contained in the second deficiency act, fiscal year 1928, approved May 29, 1928, is hereby continued and made available until expended (act May 29, 1928, vol. 45, p. 929).

Mr. REED of Pennsylvania. Mr. President, I understand that this has been authorized by previously enacted legislation.

Mr. HARRIS. In legislation enacted a year ago.

Mr. REED of Pennsylvania. I understand also that it has the approval of the Budget Bureau.

Mr. HARRIS. It has. It is a part of the supplemental estimate sent to the Congress.

Mr. REED of Pennsylvania. I understand also that it does not call for the appropriation of any additional funds, but merely continues in effect a previous appropriation.

Mr. HARRIS. That is quite correct.

The amendment was agreed to.

Mr. HARRIS. Now I ask for action on the second amendment I sent to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The LEGISLATIVE CLERK. On page 73, after line 26, insert the following:

To enable the Secretary of War to have surveys made of the battle fields around Atlanta, including the Battle of Kennesaw Mountain, to determine the cost of adequately marking the battle lines and of a suitable memorial park at Kennesaw Mountain, \$6,000.

Mr. REED of Pennsylvania. Mr. President, I understand that this has been recommended by the board of engineers appointed by the War Department in a report which has been sent to the Congress.

Mr. HARRIS. And is the first on the list.

Mr. REED of Pennsylvania. And this amendment is on the list recommended by the board; and, in fact, is the first item on it.

Mr. HARRIS. The Senator is quite correct in his statement.

The amendment was agreed to.

Mr. REED of Missouri. Mr. President, I send to the desk an amendment, which I ask to have read.

The PRESIDING OFFICER. The clerk will report the amendment.

The LEGISLATIVE CLERK. On page 81, after line 14, insert:

#### ORDNANCE DEPARTMENT

For the payment to John W. Stockett the sum of \$142,500, on account of the use by the United States of the patent device of the said John W. Stockett for breech-firing mechanism.

Mr. REED of Missouri. Mr. President, a bill carrying this item, approved by the War Department, approved by the Chief of Ordnance, and approved by the committee, has been already passed by the Senate. It is tied up in some way, and I am asking to have it inserted on this bill as an amendment. There is no dispute about the correctness of the bill.

Mr. REED of Pennsylvania. Mr. President, I know of no appropriation that has passed the Senate in recent years which appeals more than does this one. This man was the inventor of the first successful breech mechanism that made it possible to open heavy guns with a caliber of 5 inches and upward, by one motion. Always before his invention three motions were required, and considerable time was taken in opening the breech of a heavy gun.

Mr. Stockett was a draftsman in the Ordnance Bureau, and he invented this out of a clear sky, I might say. It was better than anything ever known in Europe up to that time, and better than anything we had. We used it on about a thousand guns, as I recall the number.

Another thing that was wrong with our guns in those days was the method of firing the charge. It was extremely dangerous and very slow. The charges had to be fired by a primer which was screwed into the breech after it was closed, and then by a sort of a scratching action was detonated. Several men were killed by those appliances because they had not been screwed in tightly. This man invented a primer which was proof against all those faults, and saved many a life, no doubt, by his invention, and the Government made over 2,000 of them.

The going royalty on breech blocks at that time being paid by the Government to a Swedish and British concern was \$400

per breech block. If Stockett got that much for his invention, he would be entitled to over a quarter of a million dollars, instead of the amount carried by this amendment, to say nothing of the value of his other inventions.

This has been recommended by the Chief of Ordnance in most glowing terms, by the Secretary of War, has been unanimously approved by our Committee on Claims, and passed the Senate without dissent. It is being held up for some reason that I can not understand, some personal objection, in the House. I hope no Senator will object to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri.

The amendment was agreed to.

Mr. CARAWAY. Mr. President, I send to the desk an amendment to be inserted in the bill at an appropriate place. There will be no objection to it, I understand. It simply authorizes the Chief of Engineers to change the location of a levee. It calls for no appropriation.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 79, after the amendment of Mr. McMASTER, insert:

That in the reconstruction of the levee along the left bank of the Arkansas River in Conway Levee District No. 1, Conway County, Ark., as provided under the terms of section 7 of the flood control act (Public, No. 391), approved May 15, 1928, authority is hereby granted to the Secretary of War, upon the recommendation and approval of the Chief of Engineers, to relocate all or any part of said levee when in the opinion of the Chief of Engineers such relocation shall be deemed practical and feasible.

Mr. REED of Pennsylvania. That does not carry any appropriation.

Mr. CARAWAY. It does not.

Mr. REED of Pennsylvania. I can not promise the Senator that we shall be able to hold it in conference.

Mr. CARAWAY. I think there will be no objection to it, because it has been reported in the House.

The amendment was agreed to.

Mr. BLACK. Mr. President, I desire to make an inquiry with reference to the provision which was placed in the bill by the House on pages 12 and 13, which would limit each officer of the Army to one mount. What has been done with that?

Mr. REED of Pennsylvania. The committee recommended that the House provision be stricken out, and the Senate has concurred in that action, so that the law will remain as it now is if the Senate amendment is maintained. An officer over the grade of captain who is required to be mounted will be permitted, if he pleases, to maintain two horses at the public expense.

Mr. BLACK. I understood that if there was any objection to any committee amendment agreed to last Saturday it could be voted on. I do not want to present any argument, or anything of that kind, but I do ask for a vote on this amendment after the Senate shall understand what it is.

Mr. REED of Pennsylvania. I am very glad to agree in asking that the Senate reconsider its action, if the Senator wants a vote on the amendment.

Mr. BLACK. I request that the Senate do take a vote upon striking out that particular House provision.

Mr. REED of Pennsylvania. That is found on page 12, the provision beginning in line 18 and running to line 3 on the following page.

Mr. BLACK. I will just state what it is. This amendment of the Senate committee would strike out a House provision, limiting each Army officer to one horse. It does not amount to so very much; there are several hundred horses, the number having been given in the debate in the House.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. BLACK. I yield.

Mr. COPELAND. The Senator knows that if the horses are not provided privately they will be provided by the Government, because it is necessary that such mounts be provided.

Mr. BLACK. But the provision of the bill would limit each man to one horse, whether it is provided by the Government or provided by himself.

Mr. COPELAND. No; it does not do that.

Mr. BLACK. The Government will not pay for the expense of the additional horse.

Mr. COPELAND. If the Senator will read the record, he will find that it is plainly set forth that if the amendment prevails the Government will be called upon to maintain more horses at Government expense.

Mr. BLACK. The Senator must be wrong, because this is the language of the amendment:

*Provided*, That the number of horses owned by any officer of the Army occasioning any public expense, including extra compensation, shall be reduced to one on July 1, 1929, and no appropriation contained in this act shall be available for any expense on account of a Government-owned horse used by any officer who has a privately owned mount occasioning public expense, including extra compensation, except in the case of an officer serving with troops whose privately owned mount may be sick or injured, and except in the case of an officer away from his regular post of duty.

Mr. COPELAND. Suppose the one mount he owns goes lame.

Mr. BLACK. That is provided for.

Mr. COPELAND. He has then got to take a Government horse.

Mr. BLACK. Yes; except in the case of the officer serving with troops whose privately owned mount may be sick or injured. If his horse gets sick or is injured, the Government lets him take a horse.

Mr. COPELAND. I gained the very distinct impression from the testimony that any man serving with troops, who had occasion to use a horse, needed to have two horses, either privately owned or maintained by the Government, because he could not hope to do full effective service with one mount alone.

Mr. REED of Pennsylvania. If his horse goes lame and he takes a Government horse, he has to take it from some one, and that means some enlisted man who would be no longer mounted. Furthermore, the important reason which should prevail against the House action is that it is a very severe blow at the horse-breeding industry, which needs all the encouragement the Army can give it.

Mr. BLACK. I do not care to argue it, but I do not see any more reason why we should encourage the horse-breeding industry by keeping a surplus of horses that are not needed any more than we should encourage the making of uniforms by providing two or more uniforms for each man.

Mr. BARKLEY. In order to have the required number of horses for the Cavalry of the Army it is necessary to have in the country a large surplus of well-bred horses from which selections can be made. If we cut down the number of horses by one-half, it not only discourages and demoralizes the Cavalry itself, but it also discourages the breeding of horses for the creation of this reservoir from which the Army makes its selection in order to obtain the required number of the proper kind of horses.

Mr. BLACK. I do not understand how that could be. I did not rise to argue the question. I simply wanted to call the attention of the Senate to the fact that the whole issue is whether an Army officer should have one horse or two horses. I know that when I was in the Artillery we did not have saddles most of the time. Part of the time we were compelled to get along with one horse. I can not see why an Army officer should have two horses.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. BLACK. Mr. President, there is one more matter that I want to call to the attention of the Senate and to the chairman of the Committee on Military Affairs, being an amendment on pages 21 and 22 with reference to procurement. As I understand it, the objection in the House to the item of procurement was that it was money which was utilized for the purpose of sending men out into the various fields of industry and manufacturing activities in order to acquaint themselves with industry and manufacturing. Is that the object of the provision?

Mr. REED of Pennsylvania. That is a small part of the larger subject of what is called procurement plans. As the Senator knows, when the last war broke out no one in the War Department could say what industries were capable of producing shells or guns or blankets, and so forth. With few exceptions they were perfectly ignorant of the capacity of the country for war-time supplies. It is with the idea of preventing a recurrence of such a situation that a study has been going on since the conclusion of the war to determine just from which industries could be had what quantities of essential supplies for war time. The language refers to that activity. There are two amendments in the bill touching on the subject. One of them is that found at the bottom of page 21 dealing with the number of officers who should be assigned to that work and the other relates to having only one office in any city. The obvious result of the House provision would be that if we had an officer in each of two Government buildings in the same town, they would have to abandon those offices and hire two rooms in some other place. We figured it would add much to the cost of the work and would make no saving at all, so we proposed to strike out that language.

As to the number of officers, at the urgent request of the Secretary of War or his assistant, the committee unanimously decided to strike out the provision to which the Senator calls attention.

Mr. COPELAND. Mr. President, there are one or two matters about which I wish to inquire and to have emphasized. First, I refer to the Organized Reserve. As I understand it, we trained last year 16,000 men. This year provision was made for 19,500. In the pending bill the number is increased to 21,000. Am I correct?

Mr. REED of Pennsylvania. Yes, Mr. President; the Senator is correct.

Mr. COPELAND. Of course, there are many in the reserve, like General Delafield and others who appeared before us, who think that number is entirely inadequate. But I think in defense of the bill and of the general spirit of the Congress it should be pointed out to the country that we have increased the number 19,500 trained last year to 21,000 for next year.

Mr. REED of Pennsylvania. That is correct; and it was only 16,000 the year before that.

Mr. COPELAND. It was 16,000 last year, 19,500 this year, and it will be 21,000 the coming year.

Now, I wish to inquire about the appropriation made for the Reserve Corps flying. I was very much disappointed because I did not succeed in impressing upon the committee the importance of appropriating more money for the sake of safety in the air. But in the subcommittee we agreed that the number of hours should be increased to 22,500 in order that we might have 4 hours a month in the air instead of 1 as it is at present.

Mr. REED of Pennsylvania. I doubt if it will give four hours, but it ought to give at least two hours to every reserve aviation officer of class 1, the class considered ready for active war-time service.

Mr. COPELAND. Of course the testimony was very clear before the committee that, in order to have safety in the air, these men should have four hours a month. In order to have that much it was necessary to increase the appropriation by \$477,000.

Mr. REED of Pennsylvania. That is correct.

Mr. COPELAND. I observe the amount was increased only about one-half that sum, and I desire to inquire about it because in the subcommittee we had a different plan in mind. That will be found on page 56 of the bill, line 3.

Mr. REED of Pennsylvania. The addition was \$477,389 to provide the additional 7,000 hours of reserve flying.

Mr. COPELAND. Then am I to understand the Senator to say that we increased the amount by the amendment to the House bill to add \$477,389?

Mr. REED of Pennsylvania. That is correct.

Mr. COPELAND. Then, if I am correctly advised, that will provide for four hours of flying instead of one, and of course will increase materially the safety of the air. I am right about that, I assume?

Mr. REED of Pennsylvania. I am afraid the Senator is not correct. I wish he were correct. I agree with him that four hours a month are desirable, but it is one of the many places at which a saving had to be made.

Mr. COPELAND. The Senator is quite confident that the Congress of the United States desires to appropriate money enough to make flying as safe as possible. I am quite disappointed if the Senator takes the view that the appropriation as agreed upon will not give four hours a month for such flying as we are discussing. How much more would we need to give that much flying?

Mr. REED of Pennsylvania. To give four hours of flying per month for the 630 officers who are classed as class 1 on inactive duty we would have to add \$980,036 to the amount now in the bill.

Mr. COPELAND. Does the Senator mean \$980,000 in addition to the \$477,000 already added? I think he is mistaken about that.

Mr. REED of Pennsylvania. That would be the amount, I am told, necessary to be added to the amount provided by the House, so that the increase would be approximately \$490,000 over the increase we have provided.

Mr. BINGHAM. Mr. President, I think the chairman of the Committee on Military Affairs is wrong, for this reason: The House, in their wisdom, only provided for one hour of flying a month for each of the first-class reserve officers on an inactive status. The Senate committee doubled that amount, to provide for two hours a month, and the cost of that additional one hour per month is nearly \$500,000. To double that again and make it four hours per month, as those of us who are interested in aviation would like to see done, would mean the addition of nearly \$1,000,000 to the amount provided by the House.



Mr. COPELAND. I assume that Senators may be well informed on aviation, but are not always good mathematicians. As a matter of fact, we add to the bill as it came from the House \$233,095; but it was testified before the subcommittee that by the addition of \$477,000—that is, by an addition of \$244,000 over what is provided in the Senate committee bill—there could be four hours of flying.

Mr. REED of Pennsylvania. Mr. President, on page 206 of the Senate committee hearings the Senator from Connecticut [Mr. BINGHAM] asked:

What about those figures on the 4-hour proposition?

The answer was:

Mr. DAVISON. Well, to add 20,000 hours to the 15,531 hours that are included by the bill would require \$980,036.

So the addition of \$980,036 to the amount included in the House bill would provide four hours, according to his testimony. I confess I can not see how it figures out that way.

Mr. COPELAND. As reported in the bill that we have before us there is an increase of 50 per cent in the number of flying hours. Is there not an increase from 15,000 hours to 22,500? Am I right about that?

Mr. REED of Pennsylvania. That is correct.

Mr. COPELAND. And the view of the Senator is that with that addition it would not be possible to give four hours of flying service?

Mr. REED of Pennsylvania. I think that is correct.

Mr. COPELAND. Am I right in assuming that a point of order would lie against a motion to increase the amount?

Mr. REED of Pennsylvania. Yes; and I should feel obliged to make the point of order.

Mr. COPELAND. I can quite understand the position of the Senator, and I realize that his motives are entirely honorable. But, of course, I want it understood, so far as I am concerned, that I am very much disappointed that the committee did not recommend a larger amount for safety in flying. I tried hard in the subcommittee to have a million dollars added to the appropriation for safety service and investigation. That idea did not prevail, and I am again disappointed. From the notes that I took at the time I thought reserve officers would have four hours of flying. But that seems impossible, and we are precluded from increasing the amount because of the parliamentary situation. We shall try again next year to promote safety in the air.

Now, I want to ask the chairman of the committee about the citizens' military training camps. As I understand, last year or year before last we provided for the training of 35,000 and in the bill before us there is provision for 37,500 men. Am I right in that?

Mr. REED of Pennsylvania. We hope they will be able to train a larger number than that. We are appropriating the same amount of money as last year, but it is with the hope and expectation that a larger number of young men will be provided for.

Mr. COPELAND. May I ask the chairman of the committee what is the attitude of the committee or of its chairman regarding the use of reserve officers in training the trainees in the citizens' military camps?

Mr. REED of Pennsylvania. In our judgment it is a very good thing, both for the trainees and for the officers, assuming that the proper selections are made.

Mr. COPELAND. Is it the judgment of the Senator that that plan will be followed?

Mr. REED of Pennsylvania. I hope it will be. It was tried in one camp last summer, and was found to be very successful; a good thing for the officers and a fine thing for the young men under them.

Mr. COPELAND. I hold in my hand, Mr. President, an editorial from the Reserve Officer, the official organ of the Reserve Officers' Association, volume 5, December, 1928, No. 9, from which I quote the following:

The most important advancement in the training of the Officers' Reserve Corps and, we think, the citizens' military training camp students, is the plan just announced by the War Department.

I ask that the article be included in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article is as follows:

[Editorial from The Reserve Officer, official organ of the Reserve Officers' Association of the United States, vol. 5, December, 1928, No. 9]

#### RESERVE REGIMENTS TO TRAIN CITIZENS' MILITARY TRAINING CAMPS

The most important advancement in the training of the Officers' Reserve Corps and, we think, the citizens' military training camp students,

is the plan just announced by the War Department. The plan comes to us through the clear understanding of the needs of the reserve officers by the Assistant Secretary of War, Col. Charles Burton Robbins, who has had the plan under consideration for months.

Adequate training can not be afforded a reserve officer that does not provide an opportunity to command, one thing that can not be accomplished in any correspondence course ever devised. The new plan of training will afford practical problems in administration and opportunities to exercise command that will enable superior officers to give instruction and actual knowledge of the capabilities of the officers of their command.

Supplementing the terse instructions of the War Department comes a fuller understanding of the way the plan is to be operated. Reserve officers will be placed in full charge and made responsible for the success of the citizens' military training camps, under the supervision of post commanders and Regular Army executive officers with the citizens' military training camps and reserve officers, through a system of inspections and critics. The command of the camps, however, will be actually exercised by the reserve commanders.

Such training as this plan does not incidentally supply the various grades of officers present will be afforded by specially prepared schedules which will be carried out in addition to the routine camp work.

Those reserve officers most familiar with the plan which might well be designated the "Robbins plan of training" are enthusiastic and unhesitatingly predict its complete success for both the citizens' military training camps and the Organized Reserves.

Mr. COPELAND. If I understand the Senator correctly, it is his view that it would be advantageous both to the reserve officers and the citizens in the camps if this plan of training by the reserve officers prevailed?

Mr. REED of Pennsylvania. Yes; quite so.

Mr. COPELAND. Let me ask the Senator if this plan has been studied by the War Department?

Mr. REED of Pennsylvania. Yes, Mr. President; and after study the War Department authorized the establishment of the scheme in one camp in order to try it out.

Mr. COPELAND. As I understand, the Senator says in that camp there was approval of the plan?

Mr. REED of Pennsylvania. There was general approval by both the officers and the trainees and also by the Regulars who observed it.

Mr. COPELAND. Was there approval from any other camp or any other conspicuous source of that plan?

Mr. REED of Pennsylvania. No other camp had it.

Mr. COPELAND. I mean in so far as the theory is concerned?

Mr. REED of Pennsylvania. I saw a number of editorials in the Hearst newspapers denouncing it, but it was perfectly evident that the man who wrote the editorials did not know anything about the subject.

Mr. COPELAND. I suppose a man might write for the Hearst newspapers or any other newspapers and yet have some patriotic intention.

Mr. REED of Pennsylvania. I am quite sure that the Hearst newspapers are animated by nothing but unselfish patriotism, but they are sometimes wrong, and that was one of the times.

Mr. COPELAND. Does the Senator resent any reference to this matter because it happened to be mentioned in the Hearst newspapers?

Mr. REED of Pennsylvania. No; I resented the editorial bitterly because many of the reserve officers learned to manage men and to command men by actual battle service in the World War, and I resented very much that the newspapers of large circulation such as those should publish unfair editorials denouncing them as if they had had no training at all.

Mr. COPELAND. Of course, the Senator realizes that the Senator from New York has made no reference to the Hearst editorials.

Mr. REED of Pennsylvania. I so understand.

Mr. COPELAND. And that the particular sentiments to which he refers are not pertinent to the present discussion, I take it.

Mr. REED of Pennsylvania. I did not mean to ascribe to the Senator from New York any of the sentiments of those editorials.

Mr. COPELAND. I am very much interested in the matter under discussion. It has been brought to my attention that complaints have been made by citizens who have gone to the military training camps that a system of training directed by reserve officers may not be so perfect as a system directed by officers of the Regular Army.

I realize that no finer training could be given than by the men who served in the late war. If I were to study under the instruction of any military teacher, I should be proud to have one who had the heroic experience of actual warfare; but, of necessity, as was pointed out before our committee, the men who served in the late war, with notable exceptions in the Senate,

are growing old. Of course, I realize that the able and vigorous Senator from Pennsylvania [Mr. REED], the distinguished Senator from Connecticut [Mr. BINGHAM], and other Senators who served in the World War are young men.

Mr. REED of Pennsylvania. I have aged considerably since the Senate began the consideration of this bill. [Laughter.]

Mr. COPELAND. I can realize that, and I hope not to add more than a few weeks to the age of the Senator by prolonging the discussion, and I trust that the bill may pass very soon. However, the point I was making was that, as suggested by General Delafield, for instance, and by other reserve officers, the fact is that it is very necessary for us to encourage officers who come from the Reserve Officers' Training Corps, the college training corps, to take part in this activity in order that they may help maintain our citizen army; but the question does enter my mind whether it is wise to turn over to reserve officers work which in the past has been done by Regular Army officers. It is probably all right, but I think that the Senate is entitled to have a report from the General Staff of the studies made regarding this innovation and the recommendations they have to make about it before the order shall actually be issued.

Furthermore, while the Senator has spoken about a report from the officers of one camp, it seems that we ought to know exactly what was the attitude of the trainees in the camps regarding this particular plan. It was because I felt that we were entitled to know the facts that I rose to my feet to-day. May I ask the Senator if he will be good enough to see that there shall be made to the Senate a report from the Army regarding this question?

Mr. REED of Pennsylvania. I shall be very glad to do that, Mr. President. I think the Senate is entitled to full information about it; but I hope the Senator will understand that to the young man who goes as a trainee to one of those camps it is a matter of comparative indifference whether the lieutenant and the captain of his company are graduates of the West Point Military Academy or are graduates of some other university where military training is given. Neither of them when they graduate have had any experience in the command of men; to become valuable officers, both the Regular and the reserve officer must have it, just as the National Guard men must have it. We never can tell except by actual trial which men have the gift of command; it is one thing that can not be weighed or tested in advance by any species of analysis or checking. These young officers are criticized most severely, but I hope the Senate will believe that any one of them found wanting in the qualities that go to make up a proper and considerate leader of men would be instantly dismissed from his assignment and probably dismissed from the reserves.

Mr. COPELAND. Of course, that is one of the things I had in mind, if I may say so to the Senator. Sometimes these men might be so inexperienced and so temperamentally unfit that they would fall in their command of men in the camp, and in that way demoralize their respective groups.

Mr. REED of Pennsylvania. Any officer who showed such a tendency would be dismissed the very first day of his service. We had the same situation during the war. In the organization of the National Army divisions there were scarcely a handful of Regular officers assigned to each division. The company officers, the battalion officers, and many of the other field officers were reserve officers who had never commanded men; many of them had never exercised command. The weeding out process was very rapid, and that is what we will have in another war. If we can weed the officers out in advance we shall have gained just that much time, and I can assure the Senator that their work will be rigidly scrutinized.

Mr. COPELAND. It is because I am anxious that we should not have that state of affairs if we ever have another war, which God forbid, that I think we must make very certain that the men from civil life who give of their time and forego their vacations and frequently their pay in order to have the training, shall be well taught and trained. I have sometimes criticized the colleges because the freshman student does not receive instruction from trained teachers. Often new instructors, new teachers, are placed in charge of the freshmen in a college, when, as a matter of fact, in that formative period of their lives and of their minds they need the very best instruction they can have.

Likewise, I feel that in the case of these citizens' training camps we should make sure that the citizens who go there to train are given the very best of instruction; and I know that is exactly what the Senator from Pennsylvania desires. I rose to ask these questions and am very glad of the promise of the Senator that we shall be given this information. I want to be able to say to my constituents that this matter has been given serious consideration by the Senate and by the General Staff

of the Army, and that the plan, if it is adopted, is a proper plan. At this time there is some doubt in certain minds about it; and I hope this information promised by the chairman of the committee will dissolve all doubts, and that the country will be satisfied.

I thank the Senator.

Mr. KING. Mr. President, apropos of the subject referred to by the Senator from Iowa, I have had a number of communications from reserve officers urging an increase in the membership of that organization. I have also had communications from members of the National Guard in which the contention was made that Congress had been too generous to the reserve officers' organization; that there was no necessity for increasing the number of reserve officers, but, upon the contrary, that there should be a gradual reduction. There were some complaints that there was a disposition to retain in the organization too large a number who were, because of age or other causes, not suitable for efficient and active service.

Mr. President, I am inviting the attention of the chairman to these statements in order that he may have an opportunity to reply to the same. I confess that I have had considerable interest in the reserve officers' organization and have felt that it was serving a useful purpose. It seems to me that I have believed that if the Government is to maintain military organizations outside of the Regular Army to aid in military training, the National Guard organizations should be developed and strengthened. I should dislike to see any rivalry between the reserve officers' organization or the National Guard. Some of the communications which I have received emphasize the importance of developing the National Guard and making it an important auxiliary of the Army.

Mr. REED of Pennsylvania. Mr. President, it is difficult to answer so many questions by a single "yes" or "no"—

Mr. KING. I know it is.

Mr. REED of Pennsylvania. But I shall try to be brief.

A good many people follow the method of the poor salesman: They try to get an advantage for some cause they believe in by running down something else.

To start with, I do not believe that at any time in its history the National Guard has been as efficient, as well officered, as well disciplined, or as much interested in its work as it is to-day. We have every reason to be proud of the National Guard and of the system under which it is now working.

All of the National Guard officers are themselves reserve officers. Nine thousand of them have commissions in the reserve; so that we have to start by excluding that group, for presumably they are not criticizing themselves.

About thirty-five or forty thousand—I forget the exact number, but approximately that many—are physicians, veterinarians, dentists, chaplains, officers of staff qualifications, who are never intended to have command of troops, who do not need to be experienced in military science. We have to exclude them, too, because they are practicing their professions all the time and presumably are keeping in practice.

When we take the remainder of the Reserve Corps, sixty-five or seventy thousand—they run all the way from young men, full of ardor, who keep up their military studies all the time, like these class 1 pilot aviators—there is not a finer group of young men on earth than they are—and the younger officers in the line regiments, the Infantry and the Field Artillery and the Engineers. It is a great national asset to have them in the reserve, already assigned to skeleton regiments that will be organized when war is declared. They are a great asset; and the complaints that the Senator has heard do not apply to them. Then, there are a lot of old fellows like myself who are rapidly getting past their days of military fitness, who are still on the list of reserve officers, and who ought to be weeded out; and the process of weeding out is going on now. The examinations are very drastic. They have to pass both physical and mental examinations and repeated courses in paper work; so that the ineffective ones are being weeded out. To the extent that they are still there, the criticism is just; but everybody is aware of it, and in a couple of years the weeding-out process will have given us a very fit reserve.

I hope that answers the Senator's question.

Mr. KING. I think it meets the question submitted to me, Mr. President. I am glad to receive the information.

Mr. REED of Pennsylvania. May I add further that in their sympathy with the National Guard the subcommittee and the full Committee on Appropriations have adopted all of the suggestions urged by the adjutants general for increases in the National Guard appropriations, and we hope that we shall be able to hold them in conference.

Mr. KING. I desire to inquire of the Senator whether there is any appropriation carried in the bill for Alaska except the \$1,000,000 found on page 78?



Mr. REED of Pennsylvania. Yes, Mr. President; there is an item under the Signal Corps for the cable which runs from Puget Sound to Alaska.

Mr. KING. May I say to the Senator that I am not so much concerned about that. Is there any item carried in the bill for the railroad in Alaska?

Mr. REED of Pennsylvania. I do not think there is any item in this bill for the railroad. I do not recall.

Mr. KING. There should not be; but I was fearful that there might be, in view of the item which I find on page 78—\$1,000,000, to be available immediately, and to include \$1,000 compensation to the president of the Board of Railroad Commissioners for Alaska, in addition to his regular pay and allowances.

I was wondering, first, what this \$1,000,000 is to be used for; and, if it is for roads or bridges or trails or anything of that nature, I was wondering why it should be in this bill.

Mr. REED of Pennsylvania. Because it is expended under the Corps of Engineers. It costs about half a million dollars a year for current maintenance of the roads and bridges in Alaska. The additional half million dollars is for the extension of roads into new communities. The Senator knows how much it costs to transport freight in the interior of Alaska. The road system there ought to be much extended. This item does not include anything for the Alaska Railroad.

Mr. KING. Is this road system, for which provision is made, postulated upon the ground that it is a military necessity?

Mr. REED of Pennsylvania. No, Mr. President. It is postulated on the same theory that leads us to appropriate money for road assistance throughout the United States; and we must remember that practically every acre of land in Alaska is land owned by the United States Government. We are building roads through our own property, in a sense; and we must remember, also, that very large contributions are made out of the Territorial treasury from taxes levied in the Territory.

Mr. KING. Why should not the appropriations made by the Federal Government for roads in Alaska be expended by the Bureau of Public Roads in the Department of Agriculture, rather than by the military organization?

Mr. REED of Pennsylvania. Presumably because they have no organization there.

Mr. KING. If that is true, that probably would be a sufficient reason for departing from the accepted plan which is employed in the construction of Federal roads.

Mr. REED of Pennsylvania. The Army always has done it, Mr. President, ever since the development of Alaska began.

Mr. KING. I notice, beginning with line 17, on page 66, and terminating with line 3, on page 67, a number of items. I am making no objection to the items. I was wondering what the liability of the Government was, and why these items were not carried in some pension bill.

Mr. REED of Pennsylvania. Those, as I recall, are all widows of doctors who took part in the yellow-fever experiments under Maj. Walter Reed. Those are special payments that have been authorized by a previous act of Congress.

Mr. KING. Then they would not come within the general pension act?

Mr. REED of Pennsylvania. No, Mr. President. There is a bill which will be reported to the Senate to-morrow providing for pensions for all of those heroic people who exposed themselves to the yellow-fever tests, about 30 of them in all.

Mr. KING. May I ask the Senator if the item of \$50,000,000, carried in the bill for rivers and harbors, includes the appropriations which would be made under the recent Mississippi River flood control act?

Mr. REED of Pennsylvania. No, Mr. President; that is a separate item. The Mississippi flood-control item will be found on pages 80 and 81. The \$50,000,000 is for work regularly done each year under the Chief of Engineers. The flood-control item is found at line 24, page 80. That is why this appropriation bill is so much bigger than that of last year.

Mr. KING. I should like to ask the Senator who is to determine where the \$50,000,000 is to be expended? What authorizations have been made?

Mr. REED of Pennsylvania. I should much prefer to have the Senator ask the chairman of the Committee on Commerce about that. This part of the bill is chiefly based on laws that have come from that committee. I have, myself, a very vague impression of the flood control act. If the Senator will postpone that question, I will try to get him the answer.

Mr. KING. The inquiry was directed, rather, toward the various items which undoubtedly make up the \$50,000,000 appropriation.

Mr. REED of Pennsylvania. Oh, I beg the Senator's pardon. As to that, the Senator will find the rivers and harbors figures given completely. There is an entire volume of the House hear-

ings devoted almost exclusively to that subject. In that is a tabulation showing the apportionment of the \$50,000,000. It begins on page 116 of the House hearings and ends on page 122. Does the Senator wish me to give the recapitulation?

Mr. KING. I would be glad to have the Senator do that.

Mr. REED of Pennsylvania. I will hand the figures to the clerk to read, if the Senator does not object.

Mr. KING. I have no objection to that. May I say to the Senator that he will understand that those who are not members of the committee did not have the advantage of contact with the witnesses who have testified and have no opportunity to become acquainted with these large appropriations. I have been curious to ascertain just how that \$50,000,000 is to be allocated, upon whom the responsibility is to rest, and whether we may safely commit to their hands the allocation of this large amount.

The PRESIDING OFFICER. The clerk will read.

The Chief Clerk read as follows:

	Improve- ment	Mainte- nance
Seacoast harbors and channels.....	\$9,009,520	\$10,676,860
Mississippi River system.....	16,509,000	3,524,000
Lake harbors and channels.....	3,122,000	1,725,500
Internal waterways, exclusive of the Mississippi River sys- tem.....	1,773,000	1,718,500
Surveys (H. Doc. No. 308, 69th Cong., 1st sess.).....	1,500,000	
Examinations, surveys, and contingencies of rivers and harbors.....		250,000
Departmental service, allotment roll.....		191,620
Total.....	31,913,520	18,086,480
	50,000,000	

Mr. GEORGE. Mr. President, I would like to make an inquiry of the Senator from Pennsylvania, who is in charge of this appropriation bill, with reference to the sums of money now incorporated in the bill by amendments for the purpose of reimbursing the States for damage done to roadways, causeways, bridges, or what not. Of course, I am familiar with the amendment on which we voted yesterday, providing an appropriation to the State of California of \$4,370,000 to reimburse the State for moneys expended upon the Sacramento River. The RECORD of yesterday shows the approval of an amendment to reimburse four States in the Mississippi Valley in the sum of \$3,654,000 for moneys expended in the replacing of bridges, roads, and so on, to which the Federal Government had in the first instance contributed. But there are other like items; that is to say, other amendments of the same general character, as I understand it, which have been accepted to-day, or voted into the bill, and I would like to have some idea of the amount involved.

Mr. REED of Pennsylvania. I know of no other amendment now in the bill that calls for the reimbursement of any State for expenditures of any sort. Two amendments were adopted to-day providing appropriations for certain flood-relief work on the Missouri River.

Mr. GEORGE. Is that for work to be done or for work already done?

Mr. REED of Pennsylvania. It is for work to be done.

Mr. GEORGE. Prospective?

Mr. REED of Pennsylvania. Prospective. It is just like the \$50,000,000 appropriated for river and harbor work.

Mr. GEORGE. There is no other amendment except the ones indicated?

Mr. REED of Pennsylvania. I know of no other retrospective donations to States.

Mr. SIMMONS. The \$50,000,000 appropriation covers appropriations made under authorizations heretofore made by Congress?

Mr. REED of Pennsylvania. Yes, Mr. President.

Mr. SIMMONS. But as I understand the Senator from Georgia now, he is asking for information as to the sum total of the amounts we have appropriated for rivers and harbors and bridges where there has been no authorization or past action.

Mr. REED of Pennsylvania. What he asked was the amount reimbursed to States for past expenditures. Was not that the Senator's question?

Mr. GEORGE. I confined my question to that.

Mr. SIMMONS. If the Senator will pardon me, I would like to ask the Senator from Pennsylvania an additional question as to how much the bill will carry under the amendments he has accepted and the Senate has agreed to for future expenditures on works that have not heretofore been authorized, where the appropriation is an entirely new thing?

Mr. REED of Pennsylvania. I am not prepared to answer the Senator. I do not know how much will be required on these two projects on the Missouri River. I am told the work can

be done for something under half a million dollars, but I do not recall the amount. In those cases the authority for the appropriation has already passed the Senate, so that we are not acting in the dark and without the advice of our standing committees.

Mr. SIMMONS. How much was appropriated for the California project?

Mr. REED of Pennsylvania. The California project has been authorized, has been approved by the Budget, and is covered by existing law. The amount is \$4,360,000, as I recall it, for past work and \$1,000,000 for work to be done in the next fiscal year. All that is covered by existing legislation.

Mr. SIMMONS. I happened to be out of the Senate for a few moments. What became of the amendment offered by the Senator from Florida [Mr. TRAMMELL]?

Mr. REED of Pennsylvania. I made a point of order against the amendment offered by the Senator from Florida, and it was sustained.

Mr. GEORGE. Mr. President, I do not know that I have ever before said anything with regard to any appropriation bill, except possibly to offer some minor amendment. I have no purpose to criticize the method of procedure now growing up in the Senate at this time, because perhaps I ought to have been more active before; but if the Senate is going to commit itself to the policy of reimbursing the States for expenditures made by the States on the States' own programs, and under the States' own supervision, there will positively be no end to the trouble into which the Congress is bound to run.

I have no particular purpose in saying anything about the appropriation voted yesterday of \$3,654,000 for four of the States in the Mississippi Valley, but that appropriation was voted to reimburse the States for moneys already expended by the States in repairing roads upon which the Federal Government had initially or theretofore expended money.

I undertake to say that in my own State, and in very nearly every other State in this Union, a very considerable bill could be presented to the Senate every year for precisely the same character of damages. I am not saying that we should not have voted the amounts in these instances, or in the case of California, because the flood control bill did authorize that particular appropriation, perhaps renewed the authority for it, but there will be no way to distinguish between the claim of one State and the claim of another State, and the size of the flood and the disaster wrought by the flood will have, properly speaking, no material bearing, because where a road is washed away and destroyed, if it had been built in the first instance by Federal money, or in part by Federal funds, the State would have the same moral and legal right to come to Congress and ask that it be reimbursed.

Mr. President, I want to emphasize what I am saying, that the Senate is committing itself to a course that it will undoubtedly have occasion to rue, because we can not keep up expenditures that will grow and constantly grow upon the same account represented by these appropriations.

In the early part of this session the Senator from South Carolina [Mr. SMITH] introduced a joint resolution providing for an appropriation by Congress, not to be given or donated to anyone, but to be used as a loan fund, not for people who were engaged in an experiment, but for people who had for long, long years, indeed, for generations, been engaged in farming. It was necessary to provide a fund, if possible, by way of a loan to the farmers in two or three of the Southeastern States, in order to enable them to make crops, to make it possible for them to remain upon their farms.

The Senate passed that joint resolution, and in the House it was referred to the President and to the Budget. That kind of legislation is against the financial program and policy of the administration, and the joint resolution had the disapproval of the President and of the Budget. But last year, in an appropriation bill, we appropriated \$5,000,000 to reimburse the States of Vermont, New Hampshire, and Kentucky for the repair of roads which had been damaged and destroyed by floods.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. BARKLEY. The appropriation in that case was not to reimburse those States, but to match dollar for dollar for the purpose of reconstructing the roads, large portions of which were Federal highways.

Mr. CARAWAY. Mr. President, if a State has gone ahead and discharged an obligation which ought to rest upon the Government, is it not entitled to have the money returned to it just as much as if it had applied in advance and had the money appropriated?

Mr. GEORGE. I do not think so.

Mr. CARAWAY. For instance, if Kentucky and Vermont are entitled to have paid to them out of the Federal Treasury 50 cents on every dollar spent by them in the repair of roads, and some other State suffering exactly the same injury has gone ahead and repaired similar roads, does not the Senator think it would be entitled to be reimbursed?

Mr. GEORGE. I do not say it is not entitled to be reimbursed, but we are not entitled to vote money to reimburse States when they have undertaken work, under their own programs, under their own supervision, unrestrained, uninfluenced, and uncontrolled by the Congress.

Mr. CARAWAY. There was no restraint and no control over the kind and amount of work to be done in Vermont, except the amount of the Federal appropriation.

Mr. GEORGE. I presume that appropriation came under the general act and was governed by the general law, except that the appropriation itself was made upon this special bill.

Mr. BARKLEY. The appropriation had to be expended under the jurisdiction and control of the Federal highway department, just as all other road funds are now expended.

Mr. CARAWAY. There may be a difference there, but I shall never be able to see it.

Mr. GEORGE. There is this difference. The Congress will be able to see it or else we will be placed in that situation under which no Congress can live. If we are going to appropriate money, as we are now beginning to appropriate it, to reimburse a State where the State has elected to do the improving on its own plan, under its own supervision, at its own will, we virtually give over to the State the power and authority to do the work, and come here and merely collect the funds and reimburse itself for the work it has done.

Mr. KING. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. KING. My understanding is that Federal highways when completed are to be maintained subsequently by the States—that is to say, the Federal Government under the present plan makes certain appropriations for Federal highways—but after they are completed the maintenance of them devolves upon the States. If the Federal Government is to be called upon to maintain them because of a flood, it would seem to me the Federal Government could be called upon to maintain them when by erosion or use the roads are in a condition to require repair.

Mr. GEORGE. It was not any particular injustice in any particular appropriation made that I was directing to the attention of the Senate. I have no doubt that in the case of the Mississippi Valley States the reimbursement authorized and now to be made was in the first instance a very proper expenditure, very wisely made. That might be true in any particular instance, but it will not be true in all instances; it can not be true in all instances if we adopt the policy of reimbursing for expenditures made by a State upon its program under its supervision and then permitting it to come to the Congress to get its money back.

But beyond that the possibilities are so great for overloading appropriation bills that we have got to think of the problem whether we will or not. Perhaps the largest appropriation bill we have to consider is that for the maintenance of the War Department and for the Army. It is a bill carrying a considerable sum of money. The War Department perhaps more than any other department of the Government is overloaded with nonmilitary matter. It has to carry the burden. That, of course, does not make any difference; that is to say, it makes no particular difference to the people nor any particular difference to the Congress. But if we adopt the policy that is manifest particularly in this Congress and in the Congress preceding it, we will find that the appropriations will grow by leaps and bounds until there will scarcely be any way to put a limitation upon them.

It is not very difficult, perhaps, to get a committee to favorably report a particular bill, even an appropriation bill; because the committee generally assumes that it is coming before the Senate and is going to be pretty fully debated by the Senate, and oftentimes it is not very difficult to have a report made by a committee so that any proposal to attach an appropriation to a general appropriation bill may withstand a mere point of order aimed at it. It will be seen in this particular bill that we are appropriating nearly \$10,000,000 to reimburse States for expenditures already made, and then considerable sums for prospective work, on the mere recommendation or favorable report of a committee to the body without much real consideration of the appropriation. I think we can begin to have some appreciation of the evils involved in the policy of appropriating money as we are now doing. It would be much better for every bill to go to its appropriate committee and there have its consideration. It would be much better to make more rigid rules



with reference to the addition of sums to an appropriation bill than to take the other course and find an easier way of increasing the appropriations.

I know very well that in the State on the south of my own State, in the State to the north of my own State, in my own State, and no doubt in many other States, we have had on account of flood and storm tremendous damage to the highways, causeways, bridges, and other public improvements to which the Federal Government has in part contributed; and that for those three States alone if a bill were brought to the Congress we would be called upon to appropriate at least a sum of money much in excess of the items which have been incorporated in the bill to-day and yesterday. I have no doubt the same is true of many other States.

I am merely trying to emphasize again that we will be confronted with the precedent we are setting in the Senate yesterday and to-day, and it will be a troublesome precedent. It will be a precedent which, if we yield to it, certainly will carry our appropriations beyond what at least many of us think at this time.

Mr. HEFLIN. Mr. President, I want to ask the Senator from Georgia if he thinks that action will be taken upon the measure to which he referred a little while ago, providing funds to take care of the sufferers from floods in Georgia and South Carolina and Florida. The Senator will recall that when the matter was first brought up in the Senate by the Senator from Florida [Mr. TRAMMELL] and the Senator from South Carolina [Mr. SMITH] the Porto Rico matter was pending, and they were urged not to press the claim at that time or to attempt to attach it to the Porto Rico bill, which they had in mind to do, but to postpone it until the Porto Rico matter was out of the way and that their matter would then be certainly taken care of.

I think as a matter of good faith those who engineered and had in charge the Porto Rico matter owe it to the Senator from Georgia and his colleague, and to the South Carolina Senators and to the Florida Senators and the people who represent those States here, and who urged this matter and who presented it and had favorable commendation on it by the Committee on Agriculture and Forestry, to help pass the bill and have it approved by those in authority in the administration. It ought to be enacted into law promptly.

Mr. GEORGE. Mr. President, I will say to the Senator from Alabama that the House committee has reported the bill with amendments for approximately one-third of the amount approved in the Senate. I believe that perhaps they will get a rule in the House for consideration of the measure as amended. The Senator from South Carolina would probably be in better position to speak upon that matter. He this morning called on the officers of the House.

Mr. SMITH. Mr. President, will the Senator from Alabama yield to me?

Mr. HEFLIN. Certainly.

Mr. SMITH. In answer to the inquiry of the Senator from Alabama and the statement of the Senator from Georgia, I will state that Members of the House and Senate from the region affected met the Rules Committee this morning, asking that a special rule, in accordance with the custom of that body, be reported out. I understand that the Committee on Rules unanimously reported a rule to bring out the bill.

If the Senator from Alabama will allow me further, I would like to state in this connection that there has been circulated in my State and elsewhere a statement to the effect that this effort on the part of those who tried to get the relief was a mere gesture, that we had no intent or purpose, perhaps, to push it to an ultimate conclusion.

I hope that that rumor was born of the keen disappointment of those who so sadly needed it and whose disappointment came about because of the seeming delay. The Senate kept the faith to the letter on the tacit understanding that if those of us who had suffered so severely from the same cause as Porto Rico would not insist on the measure introduced by myself being attached to the Porto Rico measure, and assured us that our bill would receive like treatment as the Porto Rico measure, which it did in this body. The Porto Rico measure was reported by the proper committee to the other body. It was passed and brought here, referred to the committee, and reported to the Senate, and passed.

Mr. HEFLIN. For the full amount?

Mr. SMITH. Yes; for the full amount. The bill which I introduced, under the suggestion that we keep our policies intact, was referred to the Committee on Agriculture and Forestry. It was reported by that committee to the Senate, and the Senate kept the faith and passed the bill.

Mr. HEFLIN. What was the amount?

Mr. SMITH. It was \$15,000,000 for four States specifically mentioned—North Carolina, South Carolina, Georgia, and Florida—and subsequently it was so worded as to take care of others that had suffered likewise.

Mr. HEFLIN. There was some damage in my State.

Mr. SMITH. Yes. The Porto Rico bill passed and was promptly signed, and the officers who were named in the bill to administer it went to Porto Rico, I understand, and the money is now being used there.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. HEFLIN. Certainly.

Mr. BINGHAM. Unfortunately there is not a penny available to be used, because Congress has not yet appropriated any money for that purpose.

Mr. HEFLIN. They know they are going to get it.

Mr. SMITH. My information was to the effect that Mr. Warburton—if I must call names—went to Porto Rico under the authorization of the bill to plan the work for the relief, though perhaps the Senator from Connecticut is right. The money will be available. Anyway, the plan for relief received no setback or hindrance.

Mr. HEFLIN. The fact that it had been enacted into law would assure those people down there that the money would be forthcoming and would enable them to carry on their operations. I ask the Senator from Connecticut if he does not think that is true?

Mr. BINGHAM. They may have hopes, and we all have hopes, that the money will be available some day. I merely wanted to correct the Senator from South Carolina in his statement that the money was being used. Unfortunately, although the bill passed over a month ago, the appropriation bill carrying the money has not yet passed.

Mr. SMITH. The Senator and I know that the appropriating committees of the Senate are not going to deny those suffering people the relief carried in that bill. He knows it and I know it. We would override any appropriating committee if such a thing would become necessary. The Senator knows it and I know it. Those people have come under our jurisdiction and are dependent upon us for relief, and the Senator knows they are going to get it and there is no use attempting to beg the question—and I do not believe the Senator is. So far as the machinery of this body is concerned, there was not a single hitch in the program.

When the relief measure for the section which I have the honor in part to represent went to the House—and I shall not criticize the method there—the Budget Bureau and the President were asked about it, and the reply was that the proposed appropriation was not in accord with the economy program of the administration. For that reason it hung fire. Having discharged my duty, as I thought, in this body, I did not think it incumbent upon me or upon other Senators to assume the burden of its legislative journey through the House. However, we were called upon for our good offices to try to expedite the passage of the proposed legislation, and, as did the Senator from Florida and others, I did what I could to accomplish that result. Several months have elapsed; the planting time has arrived; the farmers of the stricken region had no seed of their own to plant, and the germination of the cottonseed and the corn seed furnished by the Government is so poor as to be practically useless.

The price of fertilizer has advanced while the purchasing power of the people has been destroyed. The matter was gone over and the amount cut down to \$6,000,000. That, however, will help some. A special rule was unanimously adopted by the Rules Committee, and the prospects are now that perhaps we shall have the authorization for \$6,000,000 for a region three or four times as large as Porto Rico and the suffering in which was equal to that in Porto Rico. I suppose I shall have to be grateful—I will try to be—if we shall finally get the \$6,000,000.

Mr. SIMMONS. Mr. President—

Mr. HEFLIN. I yield to the Senator from North Carolina.

Mr. SMITH. I beg pardon of the Senator from Alabama.

Mr. SIMMONS. Mr. President, I want to say to the Senator from Alabama that what some of us have been complaining about to-day was that we were setting a precedent and establishing so far as we could a policy in this bill without anything like mature consideration and by hasty action. That is the gravamen of the complaint that we have been making to-day, or, at least, it was the gravamen of the complaint which I made, and which I think the Senator from Georgia made.

The case to which the Senator from South Carolina refers stands upon an entirely different basis. We were not setting any precedent in that case; we were merely following a well-established precedent in this body. We did not, as we have

not done in the past, give the distressed people in the Southern States anything. We simply provided that the Government should loan them its credit and loan it upon good security. The bill requires the same security for amounts advanced by the Government to relieve these distressed farmers that would be required if they were to go to the Federal reserve bank or to the War Finance Corporation, when it was in operation, and apply for a loan. Should they borrow the money, they are required to give good security for it. That is the precedent we are following in the measure in behalf of a distressed people in the southern section of the country; but in the pending bill we have adopted amendments which have never been referred to a committee; which have no precedents to support them; and we are proposing to establish in this hasty way a policy which, as the Senator from Georgia has said and as I said yesterday morning, will lead to consequences that nobody can foresee or foretell.

Mr. OVERMAN. Mr. President, I have made up my mind that I am going to ask the Committee on Appropriations to instruct the chairman to raise on the floor of the Senate a point of order against every amendment that does not come before that committee regularly and is not otherwise in order. No matter what his embarrassments may be, for he frequently does not make the point because some Senator offers the amendment to whom he is under obligations, the chairman of the committee or the Senator in charge of the bill ought to be instructed by the committee to make such a point of order in order to eliminate appropriations that have never been regularly considered.

Mr. HEFLIN. Mr. President, I can understand that occasion might arise after a bill is under consideration when a Senator may learn of a situation in his State needing attention which he has no opportunity of presenting to the committee. In such a case he ought not to be deprived of the opportunity of presenting his cause to the Senate; but, as a rule, the Senator from North Carolina [Mr. SIMMONS] is right. There ought to be submitted to the committee in advance any proposition which it is desired to present here.

In the Porto Rican measure there were gifts to the people of that island; Porto Rican farmers were allowed to have as much as \$25,000 each; while, if I remember correctly, in the bill that I am now discussing and in which the Senators from Georgia, Florida, South Carolina, and North Carolina are interested, it is provided that no farmer shall have over \$3,000, though in this instance the farmer is securing the Government and the money is to be returned with the interest upon it. So if we have a Budget Bureau that has rules that can not be bent or broken to meet emergencies such as this we ought to break them for them.

It is wrong when farmers in any section of the United States are driven out of their homes and off their farms because the Government refuses to come to their rescue or to help them back on their feet after a flood has destroyed their possessions, for the Government to go outside of the country, into foreign possessions, establish a different order of things, and become very charitable. It ought to let its charity begin at home; it ought to extend it to the citizens who support the Government in time of peace and fight for it in time of war.

Mr. SIMMONS. Mr. President—

Mr. HEFLIN. I yield to the Senator from North Carolina.

Mr. SIMMONS. I should like to say to the Senator that when I said a while ago that we were following a well-established precedent I meant that we were following a well-established precedent in dealing with our own people. When we come to deal with foreign people or people who are semiattached to the United States we are very much more liberal than we are when we are dealing with our own people.

Mr. HEFLIN. Certainly; the Senator is right as to that.

Mr. SIMMONS. So far as the granting of the Government's credit to help out the farmers is concerned, I have no apology for my position with reference to that. We were certainly doing what we have done heretofore many times, and I was glad this morning to go before the Rules Committee and to urge that committee to facilitate action upon that bill.

Mr. HEFLIN. The Senator means the Rules Committee of the House?

Mr. SIMMONS. Yes.

Mr. HEFLIN. They have cut the amount down from about \$15,000,000 to \$6,000,000, while Porto Rico will get \$8,000,000.

Mr. TRAMMELL. Mr. President—

Mr. HEFLIN. I yield to the Senator from Florida, who is the first Senator who ever mentioned the flood destruction in the southern section of the country.

Mr. TRAMMELL. I think Porto Rico will get \$15,000,000 instead of \$8,000,000.

Mr. HEFLIN. Perhaps the Senator is correct.

Mr. BINGHAM. Oh, no; the Senator is quite mistaken.

Mr. TRAMMELL. What is the amount?

Mr. BINGHAM. The total amount is about \$7,000,000, if they get it; they have not gotten it as yet.

While I am on my feet may I take exception to what the Senator from Alabama said a few moments ago in his implication that the people of Porto Rico are foreigners and do not help us in time of war? The people of Porto Rico are American citizens; they raised their full quota and would have done more if we had allowed them to do so during the recent war. They are not foreigners; they are American citizens. They served under the colors, and there are about 15,000 there to-day who served during the war.

Mr. HEFLIN. I did not mean the remark in the sense that the Senator understood it.

Mr. BINGHAM. I am very glad to hear the Senator say so.

Mr. HEFLIN. I meant, now that we have taken Porto Rico under the flag, that we should not show more consideration for Porto Rico, for those who have been recently brought under our wing, than we do to those who live in some of the States which were the original Colonies, and neglect them.

Mr. TRAMMELL. Mr. President, will the Senator yield?

Mr. HEFLIN. I yield.

Mr. TRAMMELL. The point I wanted to make inquiry about was whether or not the Director of the Budget has even approved an appropriation of \$6,000,000 for the relief of our home people. The Director of the Budget has not even approved of that, has he?

Mr. HEFLIN. I do not know.

Mr. TRAMMELL. It is my understanding that the Director of the Budget has withheld his approval even of an appropriation of \$6,000,000 to be loaned to our own home people.

So far as the Director of the Budget working under any fixed rules is concerned, from my experience and observation I have found that he has worked under no fixed rules whatever. He works under a rule of discrimination and prejudice, showing a friendly attitude to certain requests and an unfriendly attitude to others, regardless of the merits of the proposition. That is the action of the Director of the Budget, as I have observed it.

Mr. HEFLIN. There has been a good deal of complaint along that line.

I wish to say before I take my seat that if we can not get some action in this matter now, if we can not get the Budget Bureau to approve a meritorious measure such as this, the Senate, representing the sovereign States of this Union, ought to assert itself and speak for the people. This Government is being cursed to-day with bureaucracy; it is top-heavy with bureaucracy. A few highbrow individuals get into positions of power and arrogate to themselves the right to O. K. some and disapprove other measures that do not exactly appeal to them. As the Senator from Florida has said, we know that some can get their measures approved; they are smiled upon, while others are frowned upon and their measures are disapproved. I want everybody treated alike, and that is what Congress ought to see is done, and that is what the Government ought to do. It ought to be just to everybody in the country, to high and low alike; and whenever an unfortunate situation arises, whether it be in the South or in the North, it ought to receive the consideration of every Senator in this body, and there ought not to be any favoritism shown. We ought to do the fair and just thing in it all.

Mr. KING obtained the floor.

Mr. SMITH. Mr. President—

Mr. KING. I yield to the Senator from South Carolina.

Mr. SMITH. Mr. President, I merely wish to make a brief observation, and I thank the Senator from Utah for giving me the opportunity of doing so. Since the question of the Budget has arisen I myself have in times past criticized what we call the Budget system, and I do not know but that, if the opportunity ever offers, I shall vote to repeal the law providing for such, in my opinion, undemocratic institution; but in justice to the Director of the Budget let me say that, as I understand, his duties are, in cooperation with the President, to ascertain what amount of money is available for the different departments of the Government, and then to apportion the total sum in accordance with the various needs.

The Budget Bureau, of course, has no power to enforce its findings or decrees; its power is more suggestive than anything else. So it is up to Congress to decide what are the impelling, necessary things that may not be contemplated by the Budget. The responsibility for settling these questions rests upon us in the last analysis.

We are not sent here by the people of the United States to be governed by any kind of a body that we have created. They hold us responsible for economy and expedition of business. I presume we established the Budget Bureau so that they might



investigate the conditions of the different departments of the Government and make recommendations as to what appropriations would meet the absolute necessities of the different cases and to hold them within economic lines. Being devoted to that duty, they would be better advised than Congress. But when it comes to these questions that are imperative, that arise outside of and are not dependent upon the investigations of the Budget, the responsibility is on us; and no Member of this body or any other body has the moral right to shirk a responsibility simply because some appointee of the Government, appointed at our will and subject to our action, says it is not in accord with the program that has been outlined. It is up to us to say whether it is in accord with the intent and purpose of the governing body in the United States.

I, for one, think it is our duty not to place upon the Director of the Budget or upon the officers of the Budget responsibilities such as this. In my opinion, we ought never to have gone to him. Congress knew the crying necessity of these cases. It should have passed this legislation without regard to the Budget or anybody else, and have given the relief regardless of who might say anything to the contrary.

So the responsibility is on us; and I am sure that both the other body and this body will grant this relief, as they ought to do.

Mr. KING. Mr. President, the Senator from South Carolina [Mr. SMITH] has made what I regard as an accurate statement of the functions of the Budget and the Director of the Budget, and the responsibility which rests upon Congress in dealing with public questions.

With all due respect to the Senator from Alabama [Mr. HELLIN], I want to say that, in my opinion, General Lord has discharged the duties of his important office with fidelity and without regard to section or party. He has not always agreed with my views, or rather I have not always agreed with his views. Perhaps he was right. I am not here to criticize or condemn him. Perhaps I should modify that statement by saying that I have sometimes believed that the Budget Bureau has been too liberal and generous in making recommendations to the President, which the President, in turn, has submitted to Congress.

I am greatly interested in the law creating the Bureau of the Budget. I had some part in drafting the Budget bill. I was a member of the special committee which prepared that legislation. In my opinion this law has accomplished a great deal of good, and has proven of the highest importance to the Government. Without it Congress would have been deluged with demands from executive departments that would have proven irresistible.

The Senator from Pennsylvania [Mr. REED] referred to the tendency of departments, when they get hold of a subject, never to release their control or their grip; they seek to aggrandize their authority and expand their jurisdiction. It is a well-known fact that the executive departments and bureaus and instrumentalities of the Government, in preparing their estimates of expenses, swell the amounts far beyond all reasonable bounds. There is something in bureaucracies referred to by the Senator from Alabama which justifies criticism.

Bureaucrats do not have to raise the money. They belong to spending organizations; they are there to spend and to find methods of spending.

The Budget Bureau has done much to curb some of the mad and extravagant ambitions of various Federal agencies and departments. I only wish that General Lord and the Budget had resisted to a greater degree than they have resisted the claims and demands of some executive departments; but I pay tribute to General Lord, to his fidelity and courage, and to the splendid service which he has rendered.

Mr. President, the Budget—that is, the executive department operating under the Budget law—is required to submit estimates in the form of a budget to Congress. It is the duty of the President, through the Budget, to inform himself as to the needs of the Government, and then to present to Congress, in the form of the Budget, the requirements for the coming fiscal year. The Budget submitted at the opening of Congress in December last shows that there would be a surplus of \$37,000,000 after all appropriations for the next fiscal year had been made.

Mr. President, this session is not yet ended. Already, according to my information, there is a deficit of \$37,000,000 plus. Before Congress adjourns, unless there shall be a remarkable change in the attitude of Congress, the deficit will be between one and three hundred million dollars.

To meet this deficit, the Government may be required to become a borrower. We are not in a position to increase taxes at present. Indeed, there is no chance to pass a revenue bill this session.

The Republican Party came into power claiming that it would reorganize the departments and effect economies and reforms

that would challenge the admiration of the world. It effected no reforms; it has brought about no reorganization, but has multiplied executive agencies and increased the expenses of the Government. For the next fiscal year it is certain that the appropriations will exceed those of the present fiscal year.

Mr. President, we seem to be oblivious to the fact that we are appropriating nearly \$5,000,000,000 to meet the expenditures of the Government for the coming year. The bill before us calls for more than \$446,000,000. The Navy bill, as I said a few moments ago, will call for nearly \$400,000,000. There will be between seven and eight hundred million dollars for our military and naval expenses for the coming year. Then we are appropriating over five hundred, perhaps six hundred millions plus for the Veterans' Bureau, two hundred millions plus for pensions, eight hundred millions for interest, and a stupendous amount for other expenses of the Government, so that when the entire appropriations shall have been tabulated, I think it will be shown that our Budget calls for nearly five billions of dollars to meet the expenses of the Government for the next fiscal year.

Mr. President, there seems to be no spirit of economy in the administration, and I regret to say a similar spirit is manifested in this Chamber. There should be no politics in the consideration of appropriation bills or, for that matter, in the consideration of the overwhelming majority of questions that come before Congress. Democrats and Republicans alike should be interested in reducing the burdens of taxation and limiting expenditures of the Government to the lowest possible point. There is no warrant for the claim made that this administration has been economical. I submit that the proof is indisputable that there have been appropriations made justifying the criticism that recklessness and extravagance have too often been manifested.

The Democratic Party which, when in power, has stood for economy, could have made a more appealing record to the people if it had vigorously opposed the extravagance of the administration and attacked the stupendous appropriations which have been made since the Republican Party came into power. I have criticized my own party because of its failure in this respect. It has often voted against unjust and improper appropriation, but in my opinion we have not been as earnest and vigorous as we might have been in challenging appropriation measures which have been brought before us for consideration.

Mr. President, I shall, when the debate is concluded, submit a motion to recommit the bill with instruction to reduce the aggregate amount carried in the bill \$50,000,000, twenty million of which to be taken from the item dealing with rivers and harbors.

Mr. BRATTON. Mr. President, the Bureau of the Budget seems to be under consideration. Opposing views have been expressed. I think the system is a good one. Allowing for all of its mistakes and shortcomings, it is my belief that it has made a substantial contribution to a well-balanced system of the fiscal affairs of the Government.

The matter to which I desire to address myself briefly is the policy, upon which we are now embarking, of reimbursing States for damages caused to highways by floods or otherwise.

It is my understanding that under the Federal-aid highway law the Federal Government pays 63 per cent of the cost of constructing all Federal-aid highways and the State pays the remaining 37 per cent of the cost. When a road is completed its maintenance thereafter is a burden to be borne by the State. The Government has discharged its full duty when it pays its share of the original cost. But now, if I understand the situation correctly, we are establishing a precedent of reimbursing the States for financial burdens occasioned by damages to highways previously constructed under the Federal-aid highway system.

Mr. President, it is my belief that the policy is a dangerous one. I doubt if any Member of the Senate can visualize the enormous expenditures it will necessitate in the future.

I voted against the contentions made by the two Senators from California so ably and so effectively yesterday because I felt that the principle and the policy upon which we were asked to embark was unsound and wrong. In this one bill we are appropriating approximately \$7,000,000 for this class of relief. Perhaps the Federal Treasury can stand that without any undue strain, but it merely paves the way for the presentation of other claims in the future, bottomed upon just as much merit as are these items. It may be that we shall be committed in the future. Perhaps no distinction can be drawn between the cases with which we deal in this bill and those that will be presented to the Senate in the future.

I do not want to be bound by the policy, at least through quiescence. I protest against it now, because I think it is laden

with trouble that will cause us to rue in the future the precedent we are establishing now.

Every State in the Union, perhaps, can present a claim or a series of claims just as meritorious as any one of these. They will command a sympathetic consideration of the Senate just as much as any one of these.

It is not my desire to detain the Senate longer. The vote was taken yesterday after prolonged discussion. I simply desire to voice my disapproval of the course we have taken, and to express what I believe to be the troubled avenues into which it will lead us in the future.

Mr. WARREN. Mr. President, will not the Senator join me in attempting to have this bill passed now, so that it may go to conference? Of course the Senator knows, as we all do, that we are pressed hard here sometimes to take up matters which may or may not be of proper concern to the conferees, but certainly the matters to which the Senator alludes must be settled in conference. The Senate has no more power over them than has the House.

Mr. BRATTON. No, Mr. President; the two items with regard to California will not be in conference, because the Senate has accepted the House provision.

Mr. WARREN. In that case, of course, the Senate followed the law implicitly.

Mr. BRATTON. That may be true as to the California cases, but it is not true as to the amendment adopted yesterday.

Mr. WARREN. I grant that. Will not the Senator now permit me to ask the presiding officer to put the question leading to the passage of this bill?

Mr. BRATTON. Yes, Mr. President; I will do that for the Senator from Wyoming.

Mr. HEFLIN. Mr. President, I shall detain the Senate but a moment. I hope the motion of the Senator from Utah to strike out of this bill the \$20,000,000 item intended to aid the river and harbor projects of the country will not prevail. I think we need to have more money appropriated for our rivers and harbors instead of the small amount that is now appropriated.

The Senator from New Mexico has referred to the Budget Bureau. I think that bureau has done some good, but I want the Budget Bureau to understand that the Congress makes the appropriations for projects which Congress thinks should be looked after, and we intend to continue to do that. We would like to have the advice of the Director of the Budget, and would like to have him look into matters and give us the benefit of any suggestion he may have to make; but if we reach the time when the Congress, representing 120,000,000 people, must bow down before one man at the head of a Budget Bureau, we will have surrendered to him the functions and powers of the Congress. The people at home will not stand for it, and they should not. As one of their representatives I am not going to submit to it, and I shall prevent it if possible.

Mr. TRAMMELL. Mr. President, I do not like to delay a final vote on the bill, but a question has arisen in regard to the policy of making appropriations for assistance where Federal-aid roads have suffered damage on account of floods or hurricanes, and that subject appeals to me very powerfully on account of the fact that I am confident that in the hurricane and flood of last year the highways in my State that are Federal-aid highways suffered damage to the extent of not less than \$5,000,000.

If it is the policy of Congress to assist in other localities similarly suffering, I think it is but right that there should be contributions to the State of Florida and to other States where there was a visitation of a similar disaster to assist in the rebuilding and repairing of their roads and of their bridges.

I know that in my State we suffered, as I have said, an enormous loss. I want to offer an amendment, to be inserted at the appropriate place in the bill, for an appropriation of \$1,000,000 to assist in the repair and the rebuilding of Federal-aid highways in the storm area of Florida which suffered as the result of the hurricane and flood of 1928.

Mr. REED of Pennsylvania. Mr. President, I make a point of order against that.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. TRAMMELL. I expected the Senator from Pennsylvania to do that. I regret very much to say that he uses this prerogative when it suits his good pleasure to deprive one State of its justice and of its rights; and, on the other hand, he waives that prerogative and graciously accepts amendments in behalf of some other territory. That has been my experience here to-day in offering these amendments.

If it was right to accept the amendments providing for the three million and odd dollars of appropriations yesterday to

repair Federal-aid roads in certain other States, it is right to accept a similar amendment to-day as to Florida. If it is wrong and should be rejected to-day, it should have been rejected yesterday by the distinguished chairman of the committee through a point of order.

That is a character of public service that meets with my displeasure, and that was the reason I criticized the Director of the Budget. The Director of the Budget, when he passed upon the question of the relief of Porto Rico, knew that Florida and certain other Southeastern Atlantic States were in a similar situation, and that they were equally deserving of contribution or assistance on the part of the Federal Government. Yet he very graciously approved the appropriation of the sum which was requested for Porto Rican relief. Then, when we asked for relief in the Southeastern Atlantic States, he said, "It does not come within the financial policy of the administration." I dare say that the next day the Director of the Budget approved some item of more than \$15,000,000 for some enterprise of less merit than that which he disapproved providing a loan fund, and a loan fund only, for the farmers in the southeastern territory.

Mr. WARREN. Mr. President, will the Senator permit a question?

Mr. TRAMMELL. Certainly.

Mr. WARREN. The Porto Rican case was somewhat different, of course. The appropriation was for a loan to Porto Rico, and I think whenever Florida has asked for an appropriation for the purchase of seeds, and like matters, it has been readily furnished.

Mr. TRAMMELL. That is all we are asking now. All we ask is a loan to us for the purpose of purchasing seeds and fertilizer and stock feed. Porto Rico was given \$2,000,000 as a donation for the restoration of their highways and the rebuilding of their public schools. In Florida there was scarcely a public-school building in the storm area that was not laid low or seriously damaged. But we did not ask for any help toward rebuilding our schoolhouses.

Mr. WARREN. I hardly think one pulls himself over the wall by pulling some one else down. I do not think that gets one anywhere. As far as the Budget is concerned, the President is the real head of the Budget, and he has control, for he has the last say as to every bill.

Mr. TRAMMELL. I do not think anybody pulls himself over the wall by discrimination and partiality in behalf of one particular class of citizens or one particular enterprise to the detriment of another. That is the policy I am criticizing here. The Director of the Budget knew the situation in the southeastern Atlantic States, and particularly in Florida. He had no regard for it. He cared nothing about the suffering there, and about the disaster which visited us, with the loss of more than 2,000 lives, with homes and farms laid low and agricultural interests destroyed in all that territory. He was very sympathetic in the matter of Porto Rican relief.

I was favorable to giving relief to Porto Rico, but I dare say had there not been a large financial American interest operating in Porto Rico, a financial interest of America that desired to rebuild their citrus groves and to rehabilitate and restore their farms, there never would have been any such generous act approved by the Budget Bureau, which provided that one operator of one farm could borrow as much as \$25,000. Yet a farmer in this country, with good security, has been begging and pleading for the privilege of borrowing some money, not over \$3,000, and so far, at least, that privilege has been denied.

As to the particular matter in question, yesterday more than \$3,000,000 was appropriated to assist in the restoration of Federal-aid highways in certain States, and to-day when a request is made for a million dollars for the restoration of highways in Florida which are similarly damaged, which does not cover over one-fifth of the damage experienced, the assistance is withheld and denied.

I think we should adopt the policy of dealing with all alike, not discriminating between the different localities of the country. I do not think we should make fish of one and flesh of the other. Yet that seems to be the ruling and the governing policy, if we are to judge by the incidents of yesterday and the incidents of to-day.

Mr. President, I shall pursue this matter of asking for an appropriation to assist in the restoration of the highways in the State of Florida which suffered damage similar to that caused in the other States for which appropriations have been made, and I shall do so feeling that it is my duty, that I am clearly within my rights, the policy having been established, and knowing that I am asking and pleading with the Senate and with the Congress in behalf of a very meritorious contention under the circumstances.



We did not ask for it before, but the precedent was established here yesterday, and the precedent was established by the accepting of an amendment. I would like to ask the chairman of the committee if this \$3,000,000 amendment put on the bill yesterday was approved by the Director of the Budget?

Mr. REED of Pennsylvania. Is the Senator asking that question of me?

Mr. TRAMMELL. Yes; was that approved by the Director of the Budget?

Mr. REED of Pennsylvania. It was represented to us that it was part of the Mississippi flood-relief project, and a necessary part of it.

Mr. TRAMMELL. That does not answer the question.

Mr. REED of Pennsylvania. I do not know whether it has been approved by the Budget or not, but we will know before the bill reaches the President.

Mr. TRAMMELL. The approval of the Director of the Budget did not seem to be necessary yesterday. It seems that certain items can get into these bills without the approval of the Director of the Budget, and, as a matter of fact, I think they should, when the Director of the Budget is partial in his approval or withholds his approval of just and meritorious items.

Mr. OVERMAN. Mr. President, will the Senator yield to me?

Mr. TRAMMELL. Certainly.

Mr. OVERMAN. I tried to warn the Senate yesterday where we were headed. The Senator would not have introduced his amendment except for the fact that the amendments were agreed to on yesterday.

Mr. TRAMMELL. Certainly not.

Mr. OVERMAN. I think the Senator's amendment ought to be adopted, although it is out of order, because of the others having been adopted. But I am in hopes, when the President looks over the bill and sees that we are reimbursing States for money spent in this way, that he will veto the bill. I submit to the President that it opens a veritable Pandora's box to the country to come to Congress year after year for the reimbursement of money expended, and I hope that he will veto it. He ought to do it and I am going to endeavor to persuade him to do it; and it will be seen if I have any influence with him.

Mr. TRAMMELL. In answer to that suggestion I will state that of course I did not offer the amendment until the precedent had been established. We were going ahead in Florida carrying our burden, restoring our highways, rebuilding our schools. All we asked of the Government was to establish a fund from which our farmers in the storm-stricken district could borrow for the purpose of buying fertilizer and stock feed that they might again restore their farming activities. That is all we asked.

Mr. KING. Mr. President, I would like to ask the Senator in charge of the bill—and I do not want to embarrass him or be impertinent—if he accepted the amendment which was offered by the Senator from Arkansas [Mr. ROBINSON] yesterday and did not raise the point of order against it?

Mr. REED of Pennsylvania. The amendment offered by the Senator from Arkansas was in substance exactly the same as Senate bill 5201, which had been affirmatively reported by our Committee on Agriculture and Forestry. In view of the action of that committee I did not feel that it was incumbent upon me, knowing the importance of the subject, to raise the point of order. Every other Senator has the same power and the same right to make the point of order that I have. I simply remained silent.

Mr. KING. I regret exceedingly that I was not here. I was called out of the Chamber for the moment. If I had been here, I should have raised the point of order against my own leader, because I think the amendment was improper. I agree absolutely with the distinguished Senator from North Carolina [Mr. OVERMAN]. I think the President of the United States should veto the bill if it passes the Congress with the two items in it—the one relative to California and the other covered by the amendment offered by the senior Senator from Arkansas.

Mr. GLASS. Mr. President, may I inquire if that amendment is not still subject to a point of order, as the bill has not passed?

The PRESIDING OFFICER. The amendment has already been acted on, and has been agreed to.

Mr. GLASS. I understand the point of order lies against it at any stage of the proceedings until the bill has been passed.

Mr. KING. If it does, I desire to raise the point of order against it.

Mr. BRATTON. Mr. President, let me suggest to the Senator that the author of the amendment, the senior Senator from Arkansas [Mr. ROBINSON], is absent from the city, and I suggest that he defer that action. The Senator from Arkansas is not in the city at this time.

Mr. KING. Of course, I do not want to take advantage of his absence.

Mr. BRATTON. The matter must go to conference. Let me appeal to the Senator from Utah to withhold making the point of order under the circumstances.

Mr. KING. Under the circumstances I shall, of course not raise the point of order.

The PRESIDING OFFICER. The Chair is of the opinion that the point of order would not lie at this time against the amendment, but the Senator can ask for a separate vote on it when the bill reaches the Senate.

Mr. KING. Before the bill is passed I want to register my protest against the provisions to which I have referred and against other provisions. I think that we can not defend ourselves in the high court of conscience for carrying in the bill approximately \$450,000,000. It is obvious that we shall have a deficit. I think we are engaging in an orgy of extravagance in these appropriation bills that may not be defended. At the proper time I shall move to recommit the bill to the Committee on Appropriations with instructions to reduce the aggregate appropriation by \$50,000,000.

Mr. HEFLIN. Mr. President, I am a member of the Committee on Agriculture and Forestry. I saw there the moving pictures of the roads down in Louisiana, Arkansas, and Mississippi. I saw the terrible destruction that had been wrought by the floods. The roads were completely destroyed in many places, undermined in other places, and broken to pieces in other places. The damage had been done by the flood. I think it is the business of the Federal Government to take care of such a situation.

I do not believe the people in the States who live along the Mississippi River and the other interstate water courses should bear this burden by themselves. The people of the States constructed those roads with the aid of the Federal Government, and then came a flood, something over which they had no control whatever. The people can not prevent a flood from coming, but when the flood does come and destroys the roads in the States along interstate waterways it is too much to ask the people of those States to go in debt again to reconstruct the roads in which the Federal Government is interested and which comprise a part of the post-road system of the Nation.

Of course, we regret that it is necessary to have to spend money to meet projects of any kind that take money out of the Federal Treasury. It is not pleasant. But, Senators, these matters occur and they have to be looked after. The people in the locality are sorry that they did occur. They are sorry the roads have been destroyed. But I do not think we are going to find that the people of the country anywhere, especially those who live along the interstate water courses, are going to appreciate the suggestion that we should put this burden on them and leave them in the lurch when a flood comes and destroys the highways along the water courses where they live.

I think it is right that the Government should go to their rescue and help them when they have been stricken as those people have been stricken by a terrible flood. I do not believe there is a Senator here who, if he could have seen the moving pictures shown to the Committee on Agriculture and Forestry, would oppose such a proposition. Hundreds of thousands of people were shown at work endeavoring to save their homes in the flooded areas, the roads entirely out of sight, broken to pieces, and bridges washed away. It was a terrible thing and it was a terrible loss that those people suffered.

I have seen Senators rise here and vote for an appropriation of \$100,000,000 without the slightest hesitation. These big items of \$50,000,000 or more are swallowed as a sweet morsel by Senators, but when we come to appropriate two or three or four million dollars to relieve the people of a sovereign State who have suffered an affliction under a great flood, they turn red in the face and want to break up the whole machinery of Government.

The PRESIDING OFFICER. If there are no further amendments to be submitted as in Committee of the Whole, the bill will be reported to the Senate.

Mr. KING. Mr. President, a parliamentary inquiry. At what stage of the proceedings will a motion to recommit be permitted?

The PRESIDING OFFICER. When the bill is in the Senate. The question is, Shall the bill be reported to the Senate as amended?

The bill was reported to the Senate as amended, and the amendments were concurred in.

The PRESIDING OFFICER. The Chair will state to the Senator from Utah that his motion will be in order at this time.

Mr. KING. Mr. President, I move that the bill be recommitment to the Committee on Appropriations with instructions to reduce the aggregate appropriation carried in the bill \$50,000,000, including the item found on page 81 of the bill providing

for flood control of the Sacramento River, Calif., and the amendment offered by the Senator from Arkansas [Mr. ROBINSON] to page 81, after line 22, carrying the sum of \$3,654,000—for the relief of the States of Missouri, Mississippi, Louisiana, and Arkansas in the matter of roads and bridges damaged or destroyed by the floods of 1927—

And so forth. And to report the bill back to the Senate after such reduction thereto has been made.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Utah to recommit the bill.

The motion was rejected.

The PRESIDING OFFICER. The question is, Shall the amendments be engrossed and the bill be read a third time?

The amendments were ordered to be engrossed, and the bill was read the third time and passed.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. HATTIGAN, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 349) to supplement the naturalization laws, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. JOHNSON of Washington, Mr. VINCENT of Michigan, Mr. SCHNEIDER, Mr. SABATH, and Mr. BOX were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendments to the bill (S. 2366) to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ZIEHLMAN, Mr. UNDERHILL, and Mr. BLANTON were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendments to the bill (S. 3848) creating the Mount Rushmore National Memorial Commission and defining its purposes and powers, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LUCE, Mr. HOOPER, and Mr. BULWINKLE were appointed managers on the part of the House at the conference.

#### THE NATURALIZATION LAWS

The PRESIDING OFFICER (Mr. FESS in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 349) to supplement the naturalization laws, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON. I move that the Senate insist upon its amendment, agree to the conference asked by the House, and that the Chair appoint three conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JOHNSON, Mr. REED of Pennsylvania, and Mr. COPELAND conferees on the part of the Senate.

#### YORKTOWN SESQUICENTENNIAL COMMISSION

Mr. GLASS. I ask unanimous consent to take from the table the House concurrent resolution prolonging the time when the report of the Yorktown celebration may be made to Congress. It does not involve any expenditure at all.

Mr. JONES. Is there a similar Senate resolution on the calendar?

The PRESIDING OFFICER. There is.

Mr. JONES. If there is a similar Senate resolution, I have no objection.

The concurrent resolution (H. Con. Res. 46) was read, considered, and agreed to, as follows:

*Resolved by the House of Representatives (the Senate concurring), That section 6 of the House concurrent resolution establishing the United States Yorktown Sesquicentennial Commission be, and the same is hereby, amended to read as follows:*

"Sec. 6. That the commission shall on or before the 15th day of December, 1929, make a report to the Congress in order that enabling legislation may be enacted."

#### OHIO RIVER BRIDGE AT MAYSVILLE, KY.

Mr. BARKLEY. From the Committee on Commerce I report back without amendment the bill (H. R. 14479) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky., and Aberdeen, Ohio, and I ask unanimous consent for its present consideration.

Mr. CARAWAY. If the bill will require any discussion, I hope the Senator will not press it now.

Mr. BARKLEY. It will require no discussion. It simply extends the time for the building of a bridge.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The bill was read, as follows:

*Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Ohio River at or near Maysville, Ky., and Aberdeen, Ohio, authorized to be built by Dwight P. Robinson & Co. (Inc.), its successors and assigns, by the act of Congress approved March 12, 1928, are hereby extended one and three years, respectively, from the date of approval hereof.*

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DISTRICT OF COLUMBIA APPROPRIATIONS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is Senate bill No. 1093.

Mr. BINGHAM. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of H. R. 16422, the District of Columbia appropriation bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut?

Mr. CARAWAY. Mr. President, I do not want to object, because, of course, the appropriation bills have the right of way; but I want to ask how long the Senator thinks it would take to complete the consideration of the bill?

Mr. BINGHAM. There are very few amendments. I do not think there will be any debate of any consequence. I have not heard of any prolonged debate that is contemplated.

Mr. CARAWAY. I am asking because there is a bill which is the unfinished business that ought to be disposed of one way or the other, so that other business may be taken up by the Senate. I understand this is the only appropriation bill that is now ready for the consideration of the Senate?

Mr. BINGHAM. It is the only appropriation bill now awaiting consideration.

Mr. CARAWAY. Does the Senator think it can be disposed of this evening or early to-morrow?

Mr. BINGHAM. I hope so.

Mr. CARAWAY. I am not going to object, but I sincerely hope that I may be able to get some action to-morrow on the unfinished business.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16422) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such district for the fiscal year ending June 30, 1930, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. BINGHAM. I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut? The Chair hears none, and it is so ordered.

Mr. KING. Mr. President, the Senator does not intend to proceed to-night with the bill?

Mr. BINGHAM. It will not take very long. I hope we can proceed with it for a while. The unfinished business has been waiting for several days for consideration.

Mr. KING. I think the Senator will gain nothing by continuing to-night.

Mr. CARAWAY. I hope the Senator from Utah will not object to our going on with the District appropriation bill to-night because the unfinished business has been pending several days, and I am becoming exceedingly anxious to have some action taken on it.

Mr. BINGHAM. Will not the Senator let us proceed with the amendments which may not be objected to? I am anxious, out of a sense of fairness to the Senator from Arkansas [Mr. CARAWAY], whose bill has been the unfinished business now for several days without being considered, that we may take up the measure at the present time. It will not take long.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut?



Mr. KING. I hope the Senator will let us take a recess at this time.

The PRESIDING OFFICER. Objection is made.

#### SALES OF GOVERNMENT SHIPS

Mr. BLACK. Mr. President, I ask unanimous consent to insert in the RECORD a memorandum sent to me by the secretary of the local shipping board at Mobile, Ala., with reference to the policy of the Shipping Board in disposing of ships.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

#### Memorandum

Section 7 of the merchant marine act, 1920, provides that in sales of Shipping Board lines preference shall be given to the companies having the support, financial and otherwise, of the domestic communities primarily interested.

It has always seemed logical that the companies operating the lines for the board should be given every possible opportunity to purchase their lines; they have been developing the lines and in turn are being developed to become the owners. Most people feel the board has the right to give these operators an absolute preference in sales.

Recent indications that interests outside of the Gulf are seeking to purchase some of our Gulf lines make this question of preference a vital issue. Ownership of any of our Gulf lines by interests in the north Atlantic, for instance, with the resultant control of rates and traffic, would be most disastrous to the Gulf and to the Middle West that is now so largely using the Gulf ports, as well as a violation of section 7 of the merchant marine act, 1920. Some of the outside interests seeking Gulf lines have stated the companies formed to purchase the lines would have "local representation," but, of course, this does not enable them to qualify under the preference provision of the law.

In order to protect the local communities and carry out the law it has been suggested the Shipping Board carry in its sales specifications a provision that the present operator, the local company, shall be given an absolute preference, or that the present operator shall be permitted to take the line at the highest bid submitted. Unquestionably it was the intent of the preference provision to ultimately transfer a line to the company acting as the board's operator and which company had been so acting with the support of the local communities. The line should be sold to the operator at a price satisfactory to the board, regardless of any bid submitted by a company whose control and principal interests are lodged outside of the geographical region from which the line is operated.

#### SPECULATIVE ACTIVITIES—WARNING OF THE FEDERAL RESERVE BOARD

Mr. GLASS. Mr. President, I ask unanimous consent to insert in the RECORD an editorial published in to-day's New York Times relative to the recent admonition from the Federal Reserve Board against speculative activity.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### THE RESERVE BOARD'S WARNING

It has long been evident that renewed intervention by the Federal reserve in the increasingly abnormal credit situation would become unavoidable. To that extent, the reserve board's emphatic announcement of its ideas and purposes in the matter should have caused no surprise. Although its views on the enormous absorption of credit into speculation were well known, the board had neither made nor threatened any restrictive action since the discount rate was raised from  $3\frac{1}{2}$  per cent in January of last year to 5 in July. This had created a mistaken notion that the Federal reserve had concluded that there was nothing more which could be done. It was forgotten that drastic action in the money market, which might seriously have embarrassed trade if taken in the busy autumn season, is now more feasible. Undoubtedly, the reserve board had also waited—as last October's bankers' convention did, when it adopted its noncommittal resolutions on the credit situation—to see if the fury of speculation would not, as the bankers put it, "burn itself out."

That has not happened. Briefly stated, what has occurred is that borrowings by stock brokers, which had been enlarged by \$1,330,000,000 in the 12 months before last July, were further increased \$1,541,000,000 in the rest of 1928 and \$295,000,000 more last month. Even with such evidence of an immense accessible supply of credit, the demand for speculative uses was so insatiable that the rate for such borrowings, which a year ago stood at 4 per cent, has lately reached 9 and 12, and that six months' loans on stock and bond collateral now bring  $7\frac{1}{2}$  per cent, a rate never approached at this time of year, except for 1920, in the past half century.

A month ago private banks which were heavy lenders on the stock exchange were themselves borrowing from the Federal reserve \$630,000,000 more than a year ago. When some of these banks began to curtail their "brokers' loans" their place was taken by rich corporations, which withdrew their deposits from the banks to lend for their own account on the stock exchange.

One result of this process was that, even with the 626 "member banks" reporting to the Federal Reserve Board, loanable deposits had decreased \$150,000,000 in the 12 months ending with January, whereas they had increased \$1,500,000,000 in the same 12 months a year before and \$400,000,000 two years ago. Clearly this meant progressive reduction of the banking fund available for financing the country's trade. It foreshadowed inability of the reserve banks or the private banks to keep the rate for merchants' borrowings from rising to the height prevailing for loans on stock and bond collateral.

The reserve board speaks gravely of this disturbing aspect of the matter. Its declaration points out with unusual frankness that continuance of these tendencies may be expected to "impair the future" of legitimate trade. It scrupulously disavows any right or purpose of passing judgment on the merits of stock-market valuations. But it firmly asserts that its duty and its right are to "take such measures as may be deemed suitable and effective" for correcting a situation which directly or indirectly diverts reserve bank credit into speculative uses, which obstructs the Federal reserve in its function of "accommodating commerce and business," and which threatens to create influences distinctly "adverse to the trade and industries of the country."

The language of the board is temperate, but the fact that so plain a statement had become necessary shows of itself the gravity of the situation. What action the board and the Federal banks will take if their hand is forced we do not profess to know. At least a beginning has been made by the formal warning, simultaneously issued by the board to the reserve banks, that "rediscounting" facilities should be denied to member banks which are borrowing from the Federal reserve "for the purpose of maintaining speculative loans."

#### EXECUTIVE SESSION

Mr. JONES. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

#### RECESS

Mr. JONES. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 9, 1929, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate February 8 (legislative day of February 7), 1929*

#### POSTMASTERS

##### ALABAMA

Madison D. Majors to be postmaster at Georgiana, Ala., in place of M. D. Majors. Incumbent's commission expired January 27, 1929.

William H. McCalman to be postmaster at Vinemont, Ala. Office became presidential July 1, 1928.

##### CALIFORNIA

Robert C. Ross to be postmaster at Cotati, Calif., in place of R. C. Ross. Incumbent's commission expires February 17, 1929.

##### COLORADO

Patrick H. Gallagher to be postmaster at Windsor, Colo., in place of P. H. Gallagher. Incumbent's commission expires February 18, 1929.

##### ILLINOIS

Edwin A. Mead to be postmaster at Hebron, Ill., in place of E. A. Mead. Incumbent's commission expired January 8, 1929.

Lucy H. Renich to be postmaster at Woodstock, Ill., in place of L. H. Renich. Incumbent's commission expired January 3, 1929.

William W. Harmon to be postmaster at Xenia, Ill., in place of W. W. Harmon. Incumbent's commission expired January 8, 1929.

##### IOWA

Samuel A. McCreery to be postmaster at Clarion, Iowa, in place of S. A. McCreery. Incumbent's commission expires February 16, 1929.

Clara Bentzinger to be postmaster at Donnellson, Iowa, in place of Clara Bentzinger. Incumbent's commission expires February 16, 1929.

Martin T. Jensen to be postmaster at Grandmound, Iowa, in place of M. T. Jensen. Incumbent's commission expires February 16, 1929.

John R. Irwin to be postmaster at Keokuk, Iowa, in place of W. C. Howell, deceased.

## MISSISSIPPI

Albert S. Johnston, jr., to be postmaster at Carthage, Miss., in place of A. S. Johnston, jr. Incumbent's commission expires February 16, 1929.

## NEBRASKA

Dorothy Keefer to be postmaster at Johnstown, Nebr., in place of T. E. Valentine, removed.

Cyril Svoboda to be postmaster at Prague, Nebr., in place of Cyril Svoboda. Incumbent's commission expires February 17, 1929.

John R. Bolte to be postmaster at Snyder, Nebr., in place of J. R. Bolte. Incumbent's commission expires February 17, 1929.

## NEVADA

Julia G. Pangburn to be postmaster at Jarbidge, Nev., in place of J. G. Pangburn. Incumbent's commission expired January 17, 1929.

## NEW HAMPSHIRE

Blanche W. Drew to be postmaster at Intervale, N. H., in place of B. W. Drew. Incumbent's commission expires February 17, 1929.

## KANSAS

Clyde O. Brown, jr., to be postmaster at Centralia, Kans., in place of C. O. Brown, jr. Incumbent's commission expires February 18, 1929.

William L. Pettitjohn to be postmaster at Hoyt, Kans. Office became presidential July 1, 1926.

## KENTUCKY

John E. Skaggs to be postmaster at Neon, Ky., in place of W. M. Quillen, removed.

## MASSACHUSETTS

Charles W. Cole to be postmaster at Dighton, Mass., in place of C. W. Cole. Incumbent's commission expires February 17, 1929.

Edmund V. O'Brien to be postmaster at North Brookfield, Mass., in place of John Howe. Incumbent's commission expired March 17, 1926.

Clarence J. Conyers to be postmaster at Seekonk, Mass., in place of C. J. Conyers. Incumbent's commission expires February 17, 1929.

## MICHIGAN

Fred G. Scott to be postmaster at Bergland, Mich., in place of F. G. Scott. Incumbent's commission expired January 3, 1928.

## MINNESOTA

George H. Hopkins to be postmaster at Battle Lake, Minn., in place of G. H. Hopkins. Incumbent's commission expires February 17, 1929.

Thomas Clarkson to be postmaster at Bethel, Minn., in place of Thomas Clarkson. Incumbent's commission expired January 31, 1928.

Mary Zakula to be postmaster at Kinney, Minn., in place of C. C. Barker, resigned.

Edith Steinbring to be postmaster at Markville, Minn. Office became presidential July 1, 1927.

Albert Groenke to be postmaster at New Germany, Minn., in place of Albert Groenke. Incumbent's commission expired January 31, 1929.

Bennie H. Holte to be postmaster at Starbuck, Minn., in place of B. H. Holte. Incumbent's commission expired December 9, 1928.

## NEW JERSEY

Clair MacFarland to be postmaster at Monroeville, N. J., in place of Clair MacFarland. Incumbent's commission expired December 18, 1928.

Everton A. Corson to be postmaster at Ocean City, N. J., in place of E. M. Sutton, deceased.

## NEW YORK

Carl H. Hamlin to be postmaster at Brushton, N. Y., in place of S. E. G. Harris. Incumbent's commission expired June 5, 1928.

Byron W. Cornwell to be postmaster at Clark Mills, N. Y., in place of F. J. Manchester, deceased.

Victor Demars to be postmaster at Faust, N. Y., in place of Victor Demars. Incumbent's commission expired January 8, 1928.

Morgan C. Harris to be postmaster at Newport, N. Y., in place of M. C. Harris. Incumbent's commission expires February 18, 1929.

Harry S. Bowers to be postmaster at Wayland, N. Y., in place of H. S. Bowers. Incumbent's commission expired January 13, 1929.

## OHIO

Harriett E. Craig to be postmaster at Neffs, Ohio, in place of H. E. Craig. Incumbent's commission expired December 17, 1928.

## PENNSYLVANIA

Charles J. Williamson to be postmaster at Greensboro, Pa., in place of D. C. Mapel, resigned.

Charles S. Mayhugh to be postmaster at South Mountain, Pa., in place of C. S. Mayhugh. Incumbent's commission expired December 16, 1928.

Hulett M. Turner to be postmaster at Towanda, Pa., in place of H. M. Turner. Incumbent's commission expired January 8, 1928.

## SOUTH CAROLINA

James M. Byrd to be postmaster at Branchville, S. C., in place of J. M. Byrd. Incumbent's commission expires February 16, 1929.

## SOUTH DAKOTA

Levi J. Thomas to be postmaster at Ipswich, S. Dak., in place of L. J. Thomas. Incumbent's commission expired January 2, 1929.

## TENNESSEE

Homer W. Black to be postmaster at Bolivar, Tenn., in place of H. W. Black. Incumbent's commission expires February 18, 1929.

## TEXAS

Maurine Folbre to be postmaster at Wickett, Tex. Office became presidential July 1, 1928.

## WEST VIRGINIA

Ernest L. Head to be postmaster at Jenkinjones, W. Va., in place of C. A. Murphy, resigned.

Leslie F. Fagert to be postmaster at Paden City, W. Va., in place of J. E. McCaskey, removed.

## WISCONSIN

Leroy G. Waite to be postmaster at Dousman, Wis., in place of L. G. Waite. Incumbent's commission expires February 17, 1929.

Hugh S. Caldwell to be postmaster at Lodi, Wis., in place of H. S. Caldwell. Incumbent's commission expires February 18, 1929.

John J. Kocian to be postmaster at Milladore, Wis., in place of J. J. Kocian. Incumbent's commission expires February 17, 1929.

Libbie M. Bennett to be postmaster at Pewaukee, Wis., in place of L. M. Bennett. Incumbent's commission expires February 17, 1929.

Grace R. Morgan to be postmaster at Spring Green, Wis., in place of G. R. Morgan. Incumbent's commission expires February 18, 1929.

James E. Robar to be postmaster at Walworth, Wis., in place of J. E. Robar. Incumbent's commission expires February 17, 1929.

Albert J. Topp to be postmaster at Waterford, Wis., in place of A. J. Topp. Incumbent's commission expires February 17, 1929.

## WYOMING

Elsie C. Mann to be postmaster at Yoder, Wyo., in place of A. N. Johnson, removed.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate February 8 (legislative day of February 7), 1929*

## UNITED STATES ATTORNEY

Howard D. Stabler to be United States attorney, district of Alaska, division No. 1.

## POSTMASTERS

## ILLINOIS

Eva B. Perryman, Cowden.  
Nathan T. Lawrence, Dongola.

## INDIANA

Fred Rohrer, Berne.  
Floyd Coomler, Lagro.

## IOWA

Matt Olson, Clear Lake.  
Finley E. Dutton, Manchester.  
Guy C. Wilhelm, Modale.  
Ren S. Bosley, Newhall.

## NEW JERSEY

Charles Carter, Mount Ephraim.

## NEW YORK

Bertha Howland, Lisle.



## NORTH CAROLINA

Russell Best, Calypso.  
Miles S. Elliott, Edenton.  
A. Irvin Jolley, Mooresboro.

## OKLAHOMA

Jacob B. Sample, Bixby.  
Bernard H. Buchanan, Collinsville.  
Joseph T. Dillard, Waurika.

## PENNSYLVANIA

Charles O. Smith, Black Lick.  
Lucy A. Truax, Robertsdale.

## TEXAS

Connie Stewart, New Waverley.  
Olive L. Adams, Olden.  
Ruth M. Fuqua, Pelly.

## VIRGINIA

Charles E. Bevins, Coeburn.  
Samuel W. Collie, Danville.  
James T. Reely, Middletown.

## WASHINGTON

James B. Robertson, Kettle Falls.

## WISCONSIN

James A. Watson, Chippewa Falls.  
Lawrence A. Fjelsted, Colfax.  
George F. Kimball, Janesville.  
Helen L. Menzner, Marathon.  
Katherine B. Shier, Winegar.

## HOUSE OF REPRESENTATIVES

FRIDAY, February 8, 1929

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, Thou art our Father, the lowly Nazarene is our Savior, and the Holy Spirit is our guide and comforter. Thus life is made too sacred for any wavering of affection and too spiritual for any unrighteous moods. As we bow at the altars of our hearts, make this moment very precious to us. Hear us once more. Subdue us, pity us, and make us tender. May we all with common eagerness seek Thee and feel the pressure of Thy holy arms. Great God, bring into our lives such delights and music that it shall be springtime in all our hearts. Qualify us for excellency of service and in no way may we frustrate the divine will. Through Christ our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved:

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 13502. An act authorizing the State of Minnesota and the State of Wisconsin to construct, maintain, and operate a free highway bridge across the St. Croix River at or near Stillwater, Minn.;

H. R. 14146. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a free highway bridge across the Monongahela River, in the city of Pittsburgh, Allegheny County, Pa.;

H. R. 14164. An act granting the consent of Congress to the city of Knoxville, Tenn., to construct, maintain, and operate a free highway bridge across the Tennessee River at or near Henley Street in Knoxville, Knox County, Tenn.;

H. R. 14451. An act to revive and reenact the act entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.;

H. R. 14460. An act authorizing the Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Sioux City, Iowa;

H. R. 14469. An act granting the consent of Congress to the county of Allegheny, Pa., to construct a bridge across the Youghiogheny River between the borough of Versailles and the village of Boston, in the township of Elizabeth, Allegheny County, Pa.;

H. R. 14481. An act granting the consent of Congress to the Chicago South Shore & South Bend Railroad to construct,

maintain, and operate a railroad bridge across the Grand Calumet River at East Chicago, Ind.;

H. R. 14919. An act granting the consent of Congress to the commissioners of Mahoning County, Ohio, to construct, maintain, and operate a free highway bridge across the Mahoning River at or near Cedar Street, Youngstown, Mahoning County, Ohio;

H. R. 15072. An act to extend the times for commencing and completing the reconstruction of the bridge across the Grand Calumet River at Burnham Avenue, in Cook County, Ill.;

H. R. 15084. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near Reedsdale Street, in the city of Pittsburgh, Allegheny County, Pa.;

H. R. 15269. An act to extend the times for commencing and completing the construction of a bridge across the Red River at or near Coushatta, La.;

H. R. 15427. An act authorizing and directing the Secretary of War to lend to the Governor of North Carolina 300 pyramidal tents, complete; 9,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; and 9,000 bed sheets to be used at the encampment of the United Confederate Veterans to be held at Charlotte, N. C., in June, 1929; and

H. R. 15470. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a free highway bridge across the Cumberland River in the vicinity of Harts Ferry, Trousdale County, Tenn.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 349. An act to supplement the naturalization laws, and for other purposes;

H. R. 12032. An act to amend the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922, as amended; and

H. R. 13882. An act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House was requested:

S. 2206. An act to amend section 260 of the Judicial Code, as amended;

S. 3001. An act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes;

S. 3100. An act to facilitate and simplify the work of the Department of Agriculture in certain cases;

S. 3233. An act for the relief of Harry E. Good, administrator de bonis non of the estate of Ephraim N. Good, deceased;

S. 4710. An act authorizing the sale of surplus power developed under the Grand Valley reclamation project, Colorado;

S. 4811. An act for the relief of C. J. Colville;

S. 5058. An act for the relief of George A. Hormel & Co.;

S. 5066. An act extending the times for commencing and completing the construction of a bridge across the St. Francis River at or near St. Francis, Ark.;

S. 5165. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near St. Paul and Minneapolis, in Ramsey and Hennepin Counties, Minn.;

S. 5194. An act authorizing Richard H. Klein, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Susquehanna River at or near the borough of Liverpool, Perry County, Pa.;

S. 5301. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on Tennessee Highway No. 9, in Cocke County, Tenn.;

S. 5377. An act granting the consent of Congress to the Pittsburgh & West Virginia Railway Co. to construct, maintain, and operate a railroad bridge across the Monongahela River;

S. 5378. An act authorizing the Fayette City Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near Fayette City, Fayette County, Pa.;

S. 5543. An act to establish the Grand Teton National Park in the State of Wyoming, and for other purposes; and

S. J. Res. 196. Joint resolution authorizing and requesting the President of the United States to take steps in an effort to protect citizens of the United States in their equitable titles to land embraced in territory to be transferred from the State of Oklahoma to the State of Texas and from the State of Texas to the

State of Oklahoma as per decree of the Supreme Court of the United States in the case of Oklahoma v. Texas (1926, 272 U. S. 21, p. 38), and to give the consent of Congress to said States to enter into a compact with each other and with the United States relating to such subject matter.

The message also announced that pursuant to Senate Concurrent Resolution 28, the Vice President had appointed Mr. SHORTRIDGE and Mr. KING as tellers on the part of the Senate to ascertain and count the electoral votes for President and Vice President at the joint session of the two Houses to be held on February 13, 1929.

#### MOUNT RUSHMORE NATIONAL MEMORIAL COMMISSION

Mr. LUCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3848) creating the Mount Rushmore National Memorial Commission, and defining its purposes and powers, insist on the House amendments, and agree to the conference asked for.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to take from the Speaker's table the bill S. 3848, insist on the House amendment, and agree to the conference asked for.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees on the part of the House: Mr. LUCE, Mr. HOOPER, and Mr. BULWINKLE.

#### DEGREE-CONFERRING INSTITUTIONS

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 2366, insist on House amendment, and agree to the conference asked for.

The SPEAKER. The gentleman from Maryland asks unanimous consent to take from the Speaker's table the bill S. 2366, insist on the House amendment, and agree to the conference asked for. The Clerk will read the title of the bill.

The Clerk read as follows:

An act (S. 2366) to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. ZIHLMAN, Mr. UNDERHILL, and Mr. BLANTON.

#### NATURALIZATION LAWS

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 349, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Washington asks unanimous consent to take from the Speaker's table the bill H. R. 349, disagree to the Senate amendments, and ask for a conference. The Clerk will read the title of the bill.

The Clerk read as follows:

An act (H. R. 349) to supplement the naturalization laws, and for other purposes.

The SPEAKER. Is there objection?

Mr. SABATH. Reserving the right to object, what bill is this?

Mr. JOHNSON of Washington. It is the bill designed to regulate the time of the residence of witnesses to naturalization. The Senate has added certain naturalization features.

Mr. SABATH. Is there any objection to agreeing to the Senate amendments?

Mr. JOHNSON of Washington. I think it would be better to have the committee look into it.

Mr. GARRETT of Tennessee. I assume that this is agreeable to the ranking minority member of the committee?

Mr. JOHNSON of Washington. The gentleman from Illinois [Mr. SABATH] and the gentleman from Texas [Mr. Box] will be on the conference.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. JOHNSON of Washington, Mr. VINCENT of Michigan, Mr. SCHNEIDER, Mr. SABATH, and Mr. Box.

#### NAVAL APPROPRIATION BILL

Mr. FRENCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16714, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. LUCE in the chair.

The Clerk read as follows:

#### NAVAL ESTABLISHMENT

##### OFFICE OF THE SECRETARY

##### PAY, MISCELLANEOUS

For commissions and interest; transportation of funds, including the cost of insurance on shipments of money by registered mail when necessary; exchange; for traveling expenses of civilian employees; and not to exceed \$5,000 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department; not to exceed \$2,000 for the part time or intermittent employment in the District of Columbia or elsewhere of such experts and at such rates of compensation as may be contracted for by and in the discretion of the Secretary of the Navy; actual expenses of officers and midshipmen while on shore patrol duty, including the hire of automobiles when necessary for the use of shore patrol detachments; hire of launches or other small boats in Asiatic waters; for rent of buildings and offices not in navy yards; expenses of courts-martial, including law and reference books, prisoners and prisons, and courts of inquiry, boards of inspection, examining boards, with clerks, and witnesses' fees, and traveling expenses and costs; expenses of naval defense districts; stationery and recording; religious books; newspapers and periodicals for the naval service; all advertising for the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); copying, ferrage; tolls; costs of suits; relief of vessels in distress; recovery of valuables from shipwrecks; quarantine expenses; reports; professional investigation; cost of special instruction at home and abroad, including maintenance of students and attaches; information from abroad and at home, and the collection and classification thereof; all charges pertaining to the Navy Department and its bureaus for ice for the cooling of drinking water on shore (except at naval hospitals), and not to exceed \$170,000 for telephone rentals and tolls, telegrams and cablegrams; postage, foreign and domestic, and post-office box rentals; for necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction, and for payment of claims for damages as provided in the act making appropriations for the naval service for the fiscal year 1920, approved July 11, 1919 (U. S. C. p. 1127, sec. 600); and other necessary and incidental expenses; in all, \$1,500,000: *Provided*, That no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall be also the commandant of a navy yard, naval training station, or naval operating base: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, and messenger service in navy yards and naval stations, for the fiscal year ending June 30, 1930, shall not exceed \$517,000.

Mr. VINSON of Georgia. Mr. Chairman, I reserve the point of order to the paragraph.

Mr. BLANTON. I, too, reserve a point of order.

Mr. FRENCH. Mr. Chairman, I move to amend by striking out on page 4, line 6, the word "for."

Mr. BLANTON. But the reservation of the point of order ought to be disposed of before any amendment.

The CHAIRMAN. Will the gentleman from Georgia state his point of order?

Mr. VINSON of Georgia. I make the point of order to the language in line 7, after the semicolon, down to line 12, after the words "Navy Department," page 2—that it is legislation on an appropriation bill.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. VINSON of Georgia. Mr. Chairman, the burden is not upon me; it is upon the Chairman of the committee to show that there is some legislative authority for this expenditure, so I submit that the Chairman should advise his inquiry for information as to authority to the chairman of the subcommittee.

The CHAIRMAN. If the gentleman will permit, the gentleman from Georgia had not stated his point of order; having stated his point of order, the Chair now directs the inquiry to the gentleman from Idaho.

Mr. FRENCH. Mr. Chairman, I concede the point of order in the present form of the language. The members of the committee thought that the language should be briefer and simpler and cover that which we have been covering in the past when we have appropriated money for attendance upon such meetings as conferences of hydrographers, astronomers, and so forth, and we have grouped these items here and by fixing a



limited amount we thought we could effect economy. However, I concede the point of order.

Mr. VINSON of Georgia. I desire to ask the gentleman from Idaho this: The gentleman made a statement here the other day that there was no legislation in this bill. In reading the bill I regretted very much to find myself at variance with the gentleman from Idaho, because I think there is a great deal of legislation in the bill.

I have no complaint about the merits of the items set forth in the bill, but I do think that the Committee on Appropriations should literally follow the rule. The Appropriations Committee from year to year is trespassing upon the prerogatives of these other committees. Now, of course, this item to which I have made the point of order has been carried repeatedly in appropriation bills, but if we are going to have a strict observance of the rule then the Committee on Appropriations should not come in here from year to year and take control over that which belongs to the legislative committees. I want to state to the gentleman I have no complaint about the subject the item deals with, but I am opposed as one member of the Naval Affairs Committee to the Committee on Appropriations usurping our jurisdictional authority.

Mr. BLANTON. Will the gentleman yield?

Mr. VINSON of Georgia. I have not the floor except by courtesy.

Mr. BLANTON. The rule adopted that was offered by Mr. RAMSEYER hereafter is going to compel the appropriations subcommittees to point out every single change in the law, and every piece of legislation that is contained in appropriation bills, and that is the best rule that the House has adopted that I know of since I have been here 12 years, because it is going to keep the Appropriations Committee hereafter from hiding these items of legislation in their bills. Whenever they want legislation to go in a bill they so hide it that it takes sometimes several hours to find it. Now, hereafter we are going to be able to identify legislation by reading the report.

Mr. FRENCH. May I say in response to the gentleman that the committee undertook in its supplementary report to point out specifically just what has been placed in the bill under that rule?

Mr. BLANTON. If the gentleman will permit, there is another part of this paragraph that is legislation, but it is such good legislation and it so safeguards the Public Treasury that I do not care to make the point of order against it. It is for the benefit of the people.

Mr. FRENCH. Does it change fundamental law?

Mr. BLANTON. Oh, yes; it is legislation, because it is not authorized by law.

Mr. FRENCH. May I ask the gentleman if it has been carried in the appropriation bills heretofore?

Mr. BLANTON. Yes.

Mr. FRENCH. Then the rule that was adopted a few days ago does not apply to it, as members of our committee understand the rule.

Mr. BLANTON. A point of order would knock it out, but it is such good legislation that I want it in.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield further?

Mr. FRENCH. Yes.

Mr. VINSON of Georgia. The gentleman has further legislation in this paragraph on line 18.

Mr. FRENCH. Will the gentleman object to disposing of his first point of order before we go on to that? I concede the point of order.

Mr. VINSON of Georgia. I am willing to withdraw my point of order, now that the chairman of the committee has come in and confessed that there is legislation in the bill, when the other day he said there was no legislation.

Mr. FRENCH. I am glad to have added that modicum of comfort to the gentleman's soul.

Mr. VINSON of Georgia. On line 18 of the bill we find the following language:

including the hire of automobiles when necessary for the use of shore-patrol detachments; hire of launches or other small boats in Asiatic waters.

That is subject to the point of order.

Mr. FRENCH. I assume this discussion is going on under the gentleman's reservation of the point of order. I do not think that the language to which the gentleman draws attention is subject to the point of order. I think that the particular line to which he is now drawing attention would be abundantly within the rules under which we may carry money for a definite object, although all of the details prescribed to be carried out under the object are not set out in detail. The amount carried in that item will probably not equal \$200. It means efficiency in the

shore-patrol establishments and is limited to an exceedingly small amount.

Mr. VINSON of Georgia. If the gentleman will permit, the gentleman's bill further authorizes the Secretary, without any authority of law, to pay for rent of buildings and offices not in the navy yard. Surely the gentleman would not say that that is a public work and that he has the right to authorize an appropriation of that kind without authority of law.

Mr. FRENCH. The members of the committee think there is no question as to that language being wholly within the authorization of existing law, and would so maintain. I do not understand that the gentleman is making the point of order against this language?

Mr. CLARKE. Mr. Chairman, a parliamentary inquiry. Would it speed up legislation if I were to demand the regular order and cut off this debate?

Mr. VINSON of Georgia. Oh, I trust the gentleman from New York will let us clear this matter up, because in that way we will expedite the passage of the bill.

Mr. FRENCH. Has the gentleman from Georgia withdrawn his first point of order?

Mr. VINSON of Georgia. I am willing to withdraw that, Mr. Chairman, since the chairman of the subcommittee recognizes the fact that it is legislation. We at least want the chairman of the subcommittee to know that the House is aware of the fact that he has trespassed upon the legislative authority of these other committees.

The CHAIRMAN. The gentleman from Georgia withdraws the point of order.

Mr. VINSON of Georgia. Mr. Chairman, I make the further point of order upon the language in line 19, after the semicolon, as follows:

for rent of buildings and offices not in navy yards.

I submit, Mr. Chairman, that that is legislation on an appropriation bill and not authorized by law.

The CHAIRMAN. The Chair will hear the gentleman from Idaho.

Mr. FRENCH. Mr. Chairman, the items to which the gentleman has been directing attention are just such items as are incident to the carrying forward of the responsibilities of the Navy in connection with the different stations throughout the United States and the world wherever they may be. I submit that the very items to which the gentleman is now directing attention are items that are purely incidental to the carrying forward of large work.

One item to which he referred will cost in money not more than possibly \$200. The other item, in the matter of hiring patrol boats, is an item that in the same or somewhat similar language has been carried heretofore. More than that, these items have been before the House, and the question has been directed to the attention of the Chair and they have been ruled in order. For instance, on February 11, 1921, when the Navy bill was under consideration, the gentleman from Illinois [Mr. BRITTON], the present chairman of the committee of which my colleague from Georgia [Mr. VINSON] is a member, made the point of order against somewhat similar language. In fact, if you will check it up, it will be found to be exact language. Mr. BRITTON said this—

Mr. Chairman, I call the attention of the Chair to the language in line 19, page 2—

Curiously enough, the language to which objection is now made is in line 19, page 2, of the present bill. I call the attention to the same words used in a former bill:

hire of launches or other small boats in Asiatic waters.

Mr. BRITTON said:

That language was added to the appropriation bill in 1883 and is subject to a point of order, and I make the point of order at this time.

The then chairman, Mr. CHINDELM, after a somewhat interesting discussion of the question, in which the late Mr. Mann participated, came to the conclusion that the language was in order and so ruled, as the Chair will find on page 3145 of the CONGRESSIONAL RECORD of February 11, 1921. The Chair wound up the decision by saying:

The Chair, for the reason at that time expressed, will overrule the point of order.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. In a moment. The second proposition to which the gentleman from Georgia referred in his point of order was also made by the gentleman from Illinois [Mr. BRITTON] at the same time. The language then in the bill was as follows:

For rent of buildings and offices not in navy yards.

That is the language carried in the pending bill. Upon that the Chairman, Mr. CHINDELOW, I believe at that moment in the chair, said:

The gentleman from Illinois makes a point of order against the language, "For rent of buildings and offices not in navy yards."

Under the decision cited by the gentleman from Michigan, the Chair there held that appropriations for repair of buildings were appropriations for the continuation of a public work, and the Chair held that that language is in order, and therefore overruled the point of order. The ruling I refer to now had relation to the two points referred to by the gentleman from Georgia.

Mr. VINSON of Georgia. In answer to that I recognize the fact that an appropriation for continuation of a public work is not subject to a point of order, but I contend that the rent of buildings outside of navy yards is not the kind of public work that is contemplated in legislation of this kind and which is held as in order. Now at the present time the Secretary of the Navy has the right, if he sees fit, to go outside the boundaries of the navy yards and contract for rent of any others; that is an obligation that he is imposing upon the Government.

The CHAIRMAN. The Chair is of opinion that by an attempt to put into the law minute provision for all possible manner of expenditure the size of the statute book would be largely increased, and that by reason of the impossibility of foresight in matter of detail more harm than good would result. It has been the uniform ruling of preceding Chairmen, so far as the Chair can ascertain, that these minor and incidental objects of expenditures are natural to the conduct of the business establishment concerned.

Furthermore, the Chair is supported in his conviction by the fact that these items have passed under the scrutiny of repeated Congresses, and therefore might be assumed to have in this particular received at least the tacit approval of preceding Congresses as matters incident to the conduct of the business establishment. While, of course, such approval, if it be assumed, is never conclusive, yet when the question is one of the interpretation of existing law the construction accepted by previous Congresses may be somewhat persuasive.

For these reasons the Chair overrules the point of order.

Mr. FRENCH. Then, Mr. Chairman, I move to amend line 6, page 4, by striking out the word "for," the first word in the line, it being a repetition.

The CHAIRMAN. The gentleman from Idaho moves to strike out on line 6, page 4, the word "for." The Chair has already said, "Without objection, the change will be made," and no objection was made. The Clerk will read.

The Clerk read as follows:

#### STATE MARINE SCHOOL, ACT MARCH 4, 1911

To reimburse the State of New York, \$25,000; the State of Massachusetts, \$25,000; and the State of Pennsylvania, \$25,000, for expenses incurred in the maintenance and support of marine schools in such States as provided in the act authorizing the establishment of marine schools, etc., approved March 4, 1911 (U. S. C. 1150, sec. 1121); in all, \$75,000.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. BRIGGS. Mr. Chairman, I would like to ask the chairman of the subcommittee a question with reference to these marine schools. Is the Government carrying these schools mentioned on page 5 of the bill?

Mr. FRENCH. I will say that the Government does not carry on these schools.

Mr. BRIGGS. I knew the Government was not carrying on these schools; but I was going to ask if the Government in providing ships was making this contribution under the act approved March 4, 1911, whereby the States contribute a part and the Government a part?

Mr. FRENCH. That is true. The law provides that these schools may be maintained, and the States referred to are already maintaining the schools—Massachusetts, New York, and Pennsylvania. Those States are required to contribute as much as the Federal Government is contributing; and I will say, from the inquiry we have made, the amounts contributed by the States are far in excess of the amounts contributed by the Federal Government. The gentleman may be interested in knowing that the object of the schools is for the purpose of furnishing practical information along navigational and nautical lines. Referring to the report of the Massachusetts Nautical School, I find this language:

This school offers practical and theoretical instruction in navigation, seamanship, marine engineering, and electricity to prepare young men for service as officers in the merchant marine. The course of study extends over two years.

I will say that these schools are functioning in a most creditable manner, and are carrying a rather large number of men upon their rolls. For instance, Massachusetts graduated in 1927, 40 men. New York had enrolled on December 31, 1927, 83 men. Pennsylvania in February, 1928, had enrolled 80 members. The appropriations from the several States are considerably larger than the funds necessary to match the Federal appropriations. Massachusetts expended in 1928, \$92,250; New York, the same year, \$98,687; and Pennsylvania in the fiscal year 1928 and 1929, \$70,885.

Mr. BRIGGS. I was wondering also in this connection why these items are indicated as reimbursable items. Do they represent advances made by the States in question to cover the Government's portion?

Mr. FRENCH. That is correct. The law provides that these States may be reimbursed to this extent, provided the States have already expended in addition thereto as much or more.

Mr. BRIGGS. That is what I thought. Now, it is the purpose of the department to encourage the establishment of these schools wherever they can be established under the law—is not that true?

Mr. FRENCH. I would say to the gentleman that under the present law only these three schools are now being conducted.

Mr. BRIGGS. My impression is that there is a provision in the act for the extension of this privilege to other States upon compliance with certain provisions as indicated in the act.

Mr. FRENCH. But other States have not passed the necessary cooperative laws and have taken no steps, so far as we are aware, to avail themselves of the general law.

Mr. BRIGGS. I am inclined to think the gentleman is correct about that, but I am talking about the general law providing for their doing so if they so desire.

Mr. FRENCH. I understand that whenever other States comply with the general law they may avail themselves of the same privilege.

Mr. BRIGGS. And the purpose of the Federal Government would be to cooperate in the same way it cooperates with these States.

Mr. FRENCH. I so understand.

Mr. BRIGGS. And that the Navy Department would be willing to assign ships of appropriate type for that purpose; is that correct?

Mr. FRENCH. I understand that is correct.

The CHAIRMAN. The time of the gentleman from Texas has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

In all, Naval Home, \$207,000, which sum shall be paid out of the income from the naval pension fund.

Mr. VINSON of Georgia. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Idaho whether the language carried in the item for the Naval Home at Philadelphia includes the transfer of patients from one Government hospital to another or is it restricted to the Naval Home. The language is somewhat ambiguous, because it provides for the transportation of employees from other Government hospitals. Now, does that mean that the Government pays the expenses of transportation from one Government hospital to another of those who are not eligible for hospital treatment at the Naval Home?

Mr. FRENCH. In the first place, I would say that those in the Naval Home would need to be beneficiaries entitled to the privileges of the home. Starting from that basis, the law itself carries a provision for the bearing of the expense, when necessary, of transporting patients from the home to other hospitals or from other hospitals to the home.

Mr. VINSON of Georgia. Then under a strict interpretation it only applies to patients at the Naval Home and not to patients in other Government hospitals?

Mr. FRENCH. The appropriation has to do with moneys pertaining to patients only who are related to the home and not to patients of other hospitals who may be transferred from one hospital to another.

The pro forma amendment was withdrawn.

The Clerk read as follows:

#### BUREAU OF ENGINEERING ENGINEERING

For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, dis-



tilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service; equipage, supplies, and materials under the cognizance of the bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; care, custody, and operation of the naval petroleum reserves; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, pay of classified field force under the bureau; incidental expenses for naval vessels, navy yards, and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books and periodicals, stationery, and instruments; services, instruments and apparatus, supplies, and technical books and periodicals necessary to carry on experimental and research work; payment of part time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicians as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$20 per diem for any person so employed; in all, \$19,686,300, and, in addition, the Secretary of the Treasury is authorized and directed, upon the request of the Secretary of the Navy, to make transfers during the fiscal years 1929 and 1930 from the naval supply account fund to the appropriations "Engineering, Bureau of Engineering, fiscal years 1929 and 1930," of sums not to exceed in the aggregate \$1,500,000, to be available exclusively for the procurement of new tools and machinery for shops under the cognizance of the Bureau of Engineering and Construction and Repair: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, and messenger service in navy yards, naval stations, and offices of United States inspectors of machinery and naval material for the fiscal year ending June 30, 1930, shall not exceed \$1,715,000.

Mr. FRENCH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Page 16, line 11, before the word "of," insert "and construction and repair, Bureau of Construction and Repair, fiscal years 1929 and 1930."

On the same page, line 12, after the word "procurement," insert "and installation."

The amendment was agreed to.

The Clerk read as follows:

Transportation and recruiting of naval personnel: For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy while traveling under orders; for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen, and not more than \$2,500 shall be available for transportation of midshipmen, including reimbursement of traveling expenses while traveling under orders after appointment as midshipmen; for actual traveling expenses of female nurses; for travel allowance or for transportation and subsistence as authorized by law of enlisted men upon discharge; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their homes, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen and insane supernumerary patients to hospitals, with subsistence and transfers en route, or cash in lieu thereof; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties; transportation of dependents of officers and enlisted men; expenses of funeral escorts of naval personnel; in all, \$4,525,500.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report:

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 24, line 21, at the end of the line insert the following: "*Provided*, That not more than \$25 shall be paid as a reward for the apprehension and delivery of a deserter."

Mr. LAGUARDIA. Mr. Chairman, the purpose of this amendment is to make the reward the same as the House made it in the military appropriation bill for the year 1930. I desire to try this out for a year and see whether or not it will correct

some of the abuses now existing, especially in the large cities. I stated at the time the military appropriation bill was under consideration that in New York in one month, I was informed, that one agency delivered no less than 80 prisoners to the naval district in Brooklyn. At that time I cited a specific case where the same agency enticed a boy to desert. They got him a job as an usher in a theater, and after he had stayed away the required length of time to make him a deserter he was apprehended by the same people and delivered to the authorities, and they received the reward.

I believe that if we reduce the reward it will cut off that source of income from these disreputable agencies, which make it a business of enticing boys to desert only to deliver them and obtain the reward. I think it is well worth trying.

Mr. FRENCH. Mr. Chairman, the gentleman from New York [Mr. LAGUARDIA] was good enough to call the subject of the amendment to the attention of the chairman of the committee several days ago, and I have taken occasion to check up on this question as it pertains to the Navy.

In the first place, it would seem that if a person is engaged in aiding or promoting desertion, he himself would be a violator of law and ought to be prosecuted, and the question ought to be called to the attention of the proper law-enforcement officers, the United States attorneys, or the law officers of the Navy Department. Certainly, if any such practice as this is being indulged in by anybody, it is most reprehensible and the Government ought not to stop short of enforcing the law to the limit against any one guilty of such practice.

However, going back to the merits of the amendment, may I say that under the present law we are following as pertains to the enlisted men of the Navy and the Marine Corps the practice of offering rewards of \$50 for the apprehension and delivery of a deserter. We are carrying in the bill only \$3,000 for this purpose and other expenditures must also be met under the item.

I think the Members of the House would be interested in knowing that we do not have a large number of desertions in the Navy and in the Marine Corps. In 1928, the last fiscal year, we had only 794 gross desertions in the Navy. I say gross desertions because there were 2,906 men who had absented themselves and then after they had discovered that they had overstayed their leave or in some way were technically deserters, immediately reported and surrendered and the charge of desertion was accordingly wiped out. So we have net desertions amounting to 794.

I do not believe it would be a practicable thing to hold out a reward of \$25 with the expectation that that amount would encourage police officers or others to assist the Navy Department in apprehending deserters.

It is not a wholesome thing for the country to have desertion going on in the Naval Establishment. It is a bad thing. It is a bad thing for the persons who desert; it is a bad thing for the ones with whom they associate. It tends to put the group—

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. FRENCH. It is a bad thing for the deserters themselves from the standpoint of their contact with society to feel that, after all, they are criminals and therefore that it matters little if they commit some crime that is even more serious than the one of which they are guilty.

It seems to me if we are going to have the law enforced, we can not afford to offer a less amount than \$50.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FRENCH. Let me follow that up with this statement: The gentleman's amendment was accepted as it pertained to the Army bill, but we have a different situation in the Navy, and I want the Members of the House, and especially the gentleman from New York, who offers this amendment, to realize that, and I think when he does realize it he will withdraw his amendment.

We have a different situation touching the enlisted personnel of the Naval Establishment. When these men come in they are taken to the different training stations. They are held there for something like three months and it is usually a longer time than that before these men are really inducted into the service and capable of any great work. If a boy deserts at the end of his first year of enlistment it will be after it has cost the Government \$350 for his training, exclusive of the pay of the personnel engaged in recruiting and training. If he has a longer service the cost is considerably greater. If the deserter is not

apprehended the cost to which I have referred is doubled because you must find a new man to take his place and train him for some period of time after you have trained the first man who has deserted, and, therefore, you have doubled the expense. You do not find this situation, measured in money, obtaining in the Army to the extent it obtains in the Navy; in fact, the expense is much smaller.

Therefore, I would hope that the gentleman would not insist upon his amendment and that the House would not concur in it if he does.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FRENCH. I shall be pleased to yield.

Mr. LAGUARDIA. If a deserter is apprehended the Navy gets no further service from him, because he goes in the brig for six months and then is dishonorably discharged. So there is nothing in that argument.

What I would like to ask the gentleman is this: Is the \$50 reward by law?

Mr. FRENCH. It is not fixed by law; it is fixed as a result of a regulation under the law. In further reference to the statement touching the deserter and his status after desertion, at first the result is as indicated, but many of these men have the charge of desertion removed and again enter the service. They are trained men and efficient men. They are sorry for what they have done and go back into the service.

Mr. LAGUARDIA. The gentleman stated that \$3,000 is set aside for the purpose of rewards, but that is only in the hearings or in the estimates. There is nothing in the law that would limit it to that amount. Would the gentleman accept an amendment providing that not more than \$3,000 of this amount shall be used for payment of rewards?

Mr. FRENCH. I think it would not be a wholesome thing to put in a restriction. I would say that in practice the amount expended is considerably less than \$3,000.

Mr. LAGUARDIA. What I am trying to do is to abolish a condition which is very unwholesome right in New York City. I can not do any more—

Mr. FRENCH. I do not think the second proposed amendment would have that effect at all.

Mr. LAGUARDIA. I can not do any more than bring the matter to the attention of the committee and to the attention of the House.

Mr. FRENCH. I will say to the gentleman he has directed the attention of the committee and the House to the subject and has done so since the hearings closed. I am going to let the suggestion of the gentleman flag the committee as we conduct our hearings next year, and we shall go into this question further. Certainly, the House and the members of the committee do not want to condone the practices on the part of any persons who are imposing upon the Government and upon the enlisted personnel.

Mr. LAGUARDIA. And in the meantime we will give another year of lucrative business to these disreputable detective agencies and other parties who thrive on this business.

Mr. FRENCH. This should be brought to the attention of the proper law-enforcement officers.

The CHAIRMAN. The time of the gentleman from Idaho has again expired.

The CHAIRMAN (Mr. DOWELL). The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

In all, for pay, subsistence, and transportation of naval personnel, \$154,934,282, and, in addition, \$578,500 of the unexpended balance of the appropriation "Pay, subsistence, and transportation, Navy, 1928," is hereby made available for such purposes; and the money herein specifically appropriated and made available for "Pay, subsistence, and transportation of naval personnel," shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That additional commissioned, warranted, appointed, enlisted, and civilian personnel of the Medical Department of the Navy, required for the care of patients of the United States Veterans' Bureau in naval hospitals, may be employed in addition to the numbers appropriated for in this act: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipmen whose admission subsequent to January 30, 1929, would result in exceeding at any time an allowance of four midshipmen for each Senator, Representative, and Delegate in Congress; of one midshipman for Porto Rico, a native of the island, appointed on nomination of the governor, and of four midshipmen from Porto Rico, appointed on nomination of the Resident Commissioner; and of two midshipmen for the District of Columbia: *Provided further*, That nothing herein shall be construed to repeal or modify in any way existing laws relative to the appointment of midshipmen at large, from the enlisted personnel of the naval service, or from the Naval Reserve.

Mr. FRENCH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 24, line 23, after the comma following the word "personnel," strike out all matter down to the word "purpose," in line 2, page 25, and insert in lieu thereof the following: "\$154,512,782, of which sum \$578,500 shall be charged to the unexpended balance of appropriations, pay, subsistence, transportation, Navy, 1928."

Mr. FRENCH. Mr. Chairman, that amendment is to correct the matter of totals and refers to one item which should have been included in the totals, but through inadvertence was included in addition thereto.

Mr. COLE of Iowa. Mr. Chairman, I move to strike out the last word for the purpose of getting some information. This item of \$154,000,000, plus, is an increase over the appropriation made for the same purpose last year?

Mr. FRENCH. Somewhat. It includes money for additional enlisted personnel, to the extent of 500 men. A part of the increase also will be used in connection with the increase of other items in connection with change of ratings, longevity, and submarine work.

Mr. COLE of Iowa. You leave the expenditure and the number of enlisted men at the discretion of the Navy Department?

Mr. FRENCH. We have appropriated on the basis of 84,500 enlisted men.

Mr. COLE of Iowa. What is the total of the personnel now?

Mr. FRENCH. A little under 84,000. The enlisted personnel for which appropriation was made for the current year was on the basis of 84,000 men.

Mr. COLE of Iowa. And this is an increase of 500?

Mr. FRENCH. They would be enlisted during the fiscal year beginning July 1, next. I might say to the gentleman that it is not the thought of the committee, and I think it is not the thought of Congress, to permit the number of enlisted men to run down to, say, 80,000, during the first half of the year, and then in order that the department may come within the total money available increase the number of personnel four or five thousand beyond the number we have estimated for. Such a thing would be possible, but we think there is no question as to the department's administering the law in the good faith in which Congress will pass it. We may rely upon the department administering the law in such a way as to provide for approximately 84,500 men throughout the year.

Mr. COLE of Iowa. This increase is about \$4,000,000 over last year, and as I understand part is for the additional personnel?

Mr. FRENCH. There are several factors that enter into this item of increase; in part the 500 additional enlisted men, higher ratings for some of the men now enlisted, additional compensation to men who are engaged in submarine work and in diving, and longevity pay, which some men in the service have accumulated. I think I have included the essential items covering the increase.

Mr. COLE of Iowa. I think that sufficiently answers my inquiry.

Mr. VINSON of Georgia. Mr. Chairman, I move to strike out the last two words. I would like to ask the chairman of the committee what thought has been given with reference to increasing the number of appointments of midshipmen to the academy, on account of the cruiser program which we have passed? From my observation it will be necessary in the near future to provide for another midshipman at the academy. In other words, to-day there is a maximum of five under the law, but you have limited the appointments to four. What have we done to accommodate the increase necessary?

Mr. FRENCH. It would take about \$500,000 annually to accommodate an additional midshipman at the academy for each Member of the Senate and the House. I think we would not need to increase the facilities at the academy, although we would need to maintain a larger instructional force, both of officers and civilian instructors.

Mr. VINSON of Georgia. It is not necessary to add to the building to the academy, but only necessary to carry more money for maintenance of the midshipmen?

Mr. FRENCH. We so understand. We did maintain five at the academy at one time and have not been short of facilities.

Mr. VINSON of Georgia. What is the gentleman's thought for next year—to withdraw this limitation and permit five to be appointed?

Mr. FRENCH. No; the members of the committee could hardly anticipate the action that we would take in a year from now. We felt that it would not be a wise thing to do at this time. In the first place, the gentleman will recall that last year we added certain additional midshipmen to the academy, one for each Member of the Senate and House. We permitted the



amendment to become operative for the fiscal year. The effect was to increase the number of midshipmen at the academy by 100. That means that the privilege that was granted last year, because of the lateness of the session in which the bill was passed, was successful in adding to the academy a very small proportion of the number that could have been added. The vacancies thus created will pile up against the succeeding year, and so the approaching entering class will be exceedingly large, and it would be very unwise to provide an additional midshipman at this time.

Mr. VINSON of Georgia. But the gentleman recognizes the fact that in view of the 16 ships that must be finished within three years it will be necessary within the three years to increase the number at the academy.

Mr. FRENCH. No; I do not recognize that. When the last graduating class was graduated from the academy we were within one of the number of naval officers provided for in the general law upon the basis of the authorized enlisted personnel. We are below at this time to the extent of about 121. We will be quite up to the total authorized officer strength upon the graduation of the present class from the Naval Academy. I have no doubt at all that the addition of one midshipman to the academy for every Senator and Representative would give the Navy Department a great deal more latitude in permitting officers to serve on who had graduated from the academy and to weed out others who are not the best type or who do not desire to serve on. A very liberal course in retirement could be followed.

Mr. UPDIKE. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. UPDIKE. Does not the gentleman think that it would be a good policy to do that?

Mr. FRENCH. It would mean a good training, but it would be an expensive proposition to the Federal Government.

Mr. UPDIKE. But it would be a good thing in case we have a large merchant marine for these men to be trained, so that they could operate these ships.

Mr. FRENCH. It would be an expensive means of training men efficiently for that work. We think that they could be trained for that work quite efficiently at much less expense.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

The question is on the amendment offered by the gentleman from Idaho.

Mr. NEWTON. Mr. Chairman, I rise in opposition to the amendment. What is the reason for the proviso on page 25, lines 11 to 20? It is my understanding that before the appropriation a year ago every Member had three appointees every four years. Then we passed a provision in the appropriation act of last year creating another vacancy. That meant four. It was not permanent, as I understand it, but it created another one.

Mr. FRENCH. That is true.

Mr. NEWTON. What is the reason for restricting it to four in this proviso?

Mr. FRENCH. Because the general law authorizes the appointment of five, and we have provided money in the bill for four only, just as the authorized enlisted personnel of the Navy is 137,000 plus, and yet we are carrying money in the bill for only 84,500.

Mr. NEWTON. Is this the usual provision except that it is changed to four instead of three?

Mr. FRENCH. That is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho.

The amendment was agreed to.

The Clerk read as follows:

#### RESERVE FUEL OIL

For the procurement and transportation of petroleum products to be placed in reserve storage tanks, \$450,000, to be available immediately, and, in addition, the unobligated balance on January 30, 1929, of the continuing appropriation "Reserve material, Navy," is hereby made available for such purpose. Fuel acquired hereunder shall not be issued without the approval of the President.

Mr. FRENCH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Page 28, line 1, strike out the word "is" and insert the following: "and such sum or sums as may accrue from time to time within the total of the appropriation 'Fuel and transportation, Bureau of Supplies and Accounts, 1930,' from the purchase of fuel oil at an average rate lower than 97.22 cents per barrel are."

Mr. FRENCH. Mr. Chairman, let me say a word as to the effect of the amendment. It is to authorize the department to buy additional fuel oil out of moneys carried in the annual appropriation bill that we are considering, for fuel oil, if there shall be funds available for that purpose for storage purposes. Since our hearings closed it appears that the price of fuel oil has fallen 25 cents per barrel under what the Budget estimates were when they came to the committee. We think that for next year we ought not to let the steaming be based on the additional amount of fuel oil which might be purchased with the same money, 25 per cent more almost when measured by barrels, than it was thought could be bought with the money recommended. We think we ought to hold to the steaming that the number of barrels of oil we attempted to provide for will furnish the Navy. If the Navy Department can, through the lower price of oil that is now prevailing, purchase additional storage oil and continue the program of filling the storage tanks in Hawaii, we think it would be a desirable thing for the department to do. This language will enable the department to do that specific thing.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Idaho.

The amendment was agreed to.

Mr. FRENCH. Mr. Chairman, I move to amend page 29, line 17, by inserting a comma after the word "school." It seems to have been inadvertently omitted.

The CHAIRMAN. If there is no objection, the correction will be made.

There was no objection.

The Clerk read as follows:

Navy yard, Charleston, S. C.: Dredging, to continue, \$36,000.

Mr. McMILLAN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 23, after the figures "\$36,000," insert the following: "extension of dry dock, \$300,000; in all, \$336,000."

Mr. McMILLAN. Mr. Chairman and gentlemen of the committee, a few days ago I took occasion under general debate to call attention of the House to the amendment which I am now offering. This amendment, gentlemen of the committee, is to provide for the extension of the dry dock at Charleston for approximately 60 feet. I told the House the other day that the dry dock at Charleston is the only dry dock we have from Cape Hatteras on the Atlantic coast all the way to the Mexican border. That, my friends, is a distance of some 3,000 miles. The other day I also took occasion to call to the attention of the committee the importance of this dry dock. I repeat, that is the only dry dock we have in the entire South Atlantic and Gulf coast to Mexico.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. McMILLAN. I will.

Mr. LAGUARDIA. A few days ago on one of the bills we authorized the leasing of a dry dock at New Orleans. How would that affect the gentleman's proposition?

Mr. McMILLAN. That is only a floating dry dock, 525 feet in length.

Mr. LAGUARDIA. That would take in a cruiser?

Mr. McMILLAN. Absolutely not. The purpose of this extension, I may say to the gentleman, is to provide for the accommodation of the cruisers we are about to build and those contemplated to be built according to the building program which passed yesterday.

Mr. GREEN. Will the gentleman yield?

Mr. McMILLAN. I will.

Mr. GREEN. I would like to know if the gentleman has ascertained what per cent of the moneys are expended between Hampton Roads and the Rio Grande River. That is, what percentage of the moneys for dry docks and for other naval purposes as compared with the rest of the Atlantic coast?

Mr. McMILLAN. I will say in reply to the gentleman's inquiry that since the war approximately 98 per cent of all the moneys appropriated by this Government for the expenditures of the Naval Department for shore purposes has been spent from Norfolk to Portsmouth, N. H., a distance of 530 miles, and about 2 per cent of those funds have been expended for such purposes from Cape Hatteras to the Mexican border, a distance of 3,000 miles.

Mr. BEEDY. Will the gentleman yield?

Mr. McMILLAN. I will.

Mr. BEEDY. I would like to ask the gentleman if the committee was informed of this situation when this bill was reported out?

Mr. McMILLAN. In reply to the gentleman I will say that the committee was evidently not informed. I took the matter up with the Navy Department and with the White House prior to the Christmas holidays, but, unfortunately, during the holiday period I went home, as all Members did, perhaps, and there I was confronted with a serious illness in my family. The result was that I could not return here until the committee had closed its hearings, and this is the only opportunity I have had of presenting this very important matter to the House.

Mr. BEEDY. Mr. Chairman, will the gentleman yield?

Mr. McMILLAN. Certainly.

Mr. BEEDY. I was astounded when this matter was brought to my attention and I found that on that tremendous stretch of coast line we had no dry dock to which we could send one of our big ships in case of distress. It seems to me obviously the grossest kind of negligence in connection with our naval policy.

Mr. McMILLAN. I thank the gentleman for his contribution to my argument.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. McMILLAN. Mr. Chairman, I ask for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. VINSON of Kentucky. Mr. Chairman, will the gentleman yield there?

Mr. McMILLAN. I yield to the gentleman from Kentucky.

Mr. VINSON of Kentucky. What is the length of this dock and what is the length of the other docks?

Mr. McMILLAN. The length of the dry dock in Charleston is 566 feet. We need an extension of about 60 feet in order to accommodate the cruisers we are now building and those Congress just yesterday authorized to be built. We have now \$1,250,000 invested in the Charleston dry dock. We have a yard down there now equipped with facilities and capable of accommodating and serving any of these ships in case of an emergency, with the exception of the size of the dry dock. We have there a harbor that has a depth of from 32 feet to 37 feet, and we can accommodate a ship over the sill of our dry dock now that provides for a depth of 34 feet. These dry docks north of Cape Hatteras vary from 400 feet to 1,100.

Mr. UPDIKE. Mr. Chairman, will the gentleman yield?

Mr. McMILLAN. Yes.

Mr. UPDIKE. Can the gentleman tell us whether or not the navy yard at Charleston is equipped to construct cruisers? Have they the necessary tools and equipment there?

Mr. McMILLAN. I will say in answer to the gentleman's inquiry that the Charleston Navy Yard is well equipped. It is a modern yard. It is in such a position that if we can get this extension there that is so necessary we can take care of and construct the cruisers now building and those contemplated under the new cruiser program.

Mr. HUDSON. Mr. Chairman, will the gentleman yield for a question?

Mr. McMILLAN. Certainly.

Mr. HUDSON. When was the present dry dock constructed?

Mr. McMILLAN. In 1908, at a cost of \$1,250,000.

Mr. HUDSON. Is it in such condition now that the addition can readily be built?

Mr. McMILLAN. Yes. We have the land there necessary, the available space, without the removal of any tracks or buildings or anything. It is an open space. There is nothing to do but go out there and extend this dock 60 feet.

Mr. BLACK of Texas. That is the estimate that has been made?

Mr. McMILLAN. Yes. That is the estimate already made by the Navy Department. They have prepared blue prints and plats and have the whole necessary layout. The only reason why the committee was not advised of the project is because of the fact that I was delayed at home for reasons beyond my control during the committee's hearing.

Mr. VINSON of Kentucky. What do the naval authorities say about it?

Mr. McMILLAN. Practically every naval authority who knows anything about the condition backs up the project to the limit.

We have an extension of trade and commerce that is being rapidly expanded to the south of us. Our ships will go south with this progress and increase in trade and expansion of commerce. I submit it is only reasonable for us as Representatives in this Congress to come and vote for this project at this time.

Gentlemen, I appeal to you. As I said the other day, this is not a question of a sectional appeal; but I ask you as Members of the House, representing here a great section of our southern

coast, 3,000 miles in length, supplied with only one dry dock. I appeal to the membership of this House to support me in this proposition here to-day and help put across a project that means so much to the entire country. [Applause.]

Mr. TABER. Mr. Chairman, I rise in opposition.

This is an item that has not been presented by the Navy Department to the Budget. It is an item which is so far down the list of the improvements that the Navy would like to have considered that there are \$7,000,000 of other projects under the Bureau of Yards and Docks which the Navy Department considers to be more important and more desirable than this.

The fleet is not based on Charleston. It is based either off Hampton Roads, or up farther north, or down near the Canal Zone. At the Canal Zone we have already a thousand-foot dock. At Hampton Roads we have a thousand-foot dock which would take in any ship.

Mr. VINSON of Georgia. In the case of a disabled ship in the Atlantic it would have to pass through a 100-foot lock to get to the dock. Of course, if the ship is disabled in the Atlantic, there would be grave doubt about its ever getting over to the Pacific to dock.

Mr. TABER. There would be grave doubt about its getting to Charleston.

Mr. McMILLAN. Charleston for several years has been the base in the South Atlantic for about five months in the year.

Mr. TABER. And that has furnished very considerable use for the dock, I assume.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. TABER. I yield.

Mr. VINSON of Georgia. The gentleman stated that this item had not been submitted to the Budget. Is it not a fact that your committee does not pay much attention to the estimates of the Budget anyhow, because the Budget has asked for \$1,000,000 more for the Navy than the committee has given?

Mr. TABER. The committee is reappropriating, so that with the reappropriations and all, our appropriations are considerably beyond the Budget estimate.

Mr. GREEN. Will the gentleman yield?

Mr. TABER. Yes.

Mr. GREEN. Does not the gentleman believe it would be economy in the long run to establish this dock in that vicinity?

Mr. TABER. I believe it would be a waste of money to spend this money at this time because the repairs of all of the fleet are well taken care of at the present time.

Mr. GREEN. But they are taken care of at Norfolk?

Mr. TABER. Well, Norfolk is only 300 or 400 miles away.

Mr. GREEN. Well, 300 or 400 miles is quite a distance.

Mr. EDWARDS. It is approximately 600 miles from Charleston by way of the coast to Norfolk.

Mr. TABER. Five hundred miles would be the maximum.

Mr. EDWARDS. Well, let us say it is 500 miles. How many docks are in New York?

Mr. TABER. There are three or four, but only two that would be suitable to take care of these big ships.

Mr. EDWARDS. Assuming there is none within this 3,000-mile stretch from Norfolk south, how are they going to be taken care of unless they are towed to Norfolk or New York?

Mr. TABER. Of the light cruisers that are under construction there would not be many based around that part of the sea.

Mr. EDWARDS. The sea is just as salty and just as big down there as it is around New York.

Mr. TABER. They would be based in the Pacific a good deal of the time.

Mr. NEWTON. Will the gentleman yield?

Mr. TABER. I yield.

Mr. NEWTON. How many docks are there on the Atlantic of substantial size?

Mr. TABER. There is a dock at Boston of 1,000 feet; two in New York that would take in these cruisers; there is one in Philadelphia and there is one at Norfolk, which makes four.

On the Pacific coast we only have the Mare Island and Puget Sound docks, besides the Canal Zone dock. This item was never even heard of by this committee until we came on the floor. It never has been presented to us and we have never had an opportunity to investigate the merits or demerits of it.

Mr. NEWTON. The gentleman from South Carolina has explained that.

Mr. McMILLAN. I think I have explained to the committee why I was unable to present this matter to the gentleman's committee.

Mr. NEWTON. To me the point seems to be this: Is the Navy, as it is now constituted, in a situation so that it could use to advantage additional dry-dock facilities of substantial size?

Mr. TABER. The dry-dock facilities we already have are not more than half taken up. On the Atlantic coast last year they were not more than 20 per cent used.



Mr. VINSON of Georgia. Will the gentleman yield further?

Mr. TABER. Yes.

Mr. VINSON of Georgia. In response to the gentleman's inquiry let me say that the dry-dock situation is such that the bill carries an item providing for the leasing of a dry dock in San Francisco Bay, because we have not a dry dock suitable, except at the Bremerton yard, to care for conditions on the Pacific side, and the same condition exists on the Atlantic side.

The CHAIRMAN (Mr. LUCE). The time of the gentleman from New York has expired.

Mr. NEWTON. Mr. Chairman, I ask unanimous consent that the gentleman from New York may proceed for five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. NEWTON. What is the situation on the Atlantic coast? Does the gentleman agree with the gentleman from New York on that statement?

Mr. VINSON of Georgia. My position is that it would be quite advantageous to extend this dock at Charleston for this reason: All naval experts state that if you have an engagement in the Atlantic it is bound to occur in the vicinity of the Bahama Islands, and if a ship is disabled there in naval battle it would have to be towed to the Norfolk Navy Yard, and in towing it there, in all probability the ship would be injured and probably destroyed. So Charleston is in a logical and strategic situation and should have a dry dock that will take all of the large naval vessels.

Mr. NEWTON. I know; but does the gentleman agree with the gentleman from New York that at the present time there are fairly ample dry-dock facilities on the Atlantic coast?

Mr. VINSON of Georgia. I do not.

Mr. NEWTON. What authority can the gentleman give to bear out that statement?

Mr. VINSON of Georgia. What I have just said; that in an emergency or as the result of a battle we would need a dry dock in that vicinity.

Mr. TABER. Is there any question but what we have four 1,000-foot docks on the Atlantic side?

Mr. VINSON of Georgia. Of course we have, but they are not located at the right place. From the Panama Canal up to Hampton Roads there is not a dock suitable in size to take care of one of the 15 cruisers you have just authorized, and what we are trying to do is to provide a dock at the proper place, which is Charleston, and that dock should be large enough to take care of a cruiser in the event it is disabled in battle.

Mr. TABER. If that is the situation, why was not the matter presented to the committee so that we could secure statements from the responsible officers of the Navy upon the subject? Why, if they are so interested in this kind of a proposition, have they not presented the proposition to us and to the Budget so that it could be properly, fairly, and honestly considered? Why should we run wild in making appropriations to put in big dry docks or to extend them wherever some individual locally wants them, when the Navy Department has not felt the matter important enough to present it to Congress and to the Budget?

Mr. EDWARDS. Mr. Chairman, I move to strike out the last word.

The gentleman who has just concluded asks the question, "Why?" Evidently the gentleman has not investigated the matter very carefully, even though he is on the Appropriating Committee.

The arguments presented by the gentleman from South Carolina [Mr. McMILLAN] and by other gentlemen who really understand this situation, make out a fair, strong case for this extension. We can visualize it. We have dry docks on the Atlantic, but where are they? They are up in the gentleman's State of New York, four or five of them, and elsewhere north of Norfolk.

Here is a stretch of coast of approximately only 500 miles from Norfolk on north, with some 17 dry docks, and here is a stretch of approximately 3,000 miles, or more, stretching south of Norfolk all the way down the Atlantic, where the water is just as deep, just as briny, and the ocean just as big as it is around New York, and there is but one dry dock on that long stretch of coast, and that dry dock is too short to take care of the cruisers that this committee is appropriating to construct and operate.

We have storms down in the South Atlantic, around Cuba and in that entire section, and yet the gentleman from New York [Mr. TABER] would force the Government to the great expense and to the extravagance of towing a crippled ship from the South Atlantic clear up to Norfolk or to New York or to the Massachusetts coast to get it repaired, when with only \$300,000 we can

modernize and vitalize and make useful the dry dock that we already have down there by simply extending it.

This is in the interest of economy. It is good sense, and, my friends, you can vote to-day to refuse this appropriation if you want to, but you will do an injury to the Navy and you do an injury to the Government itself. I hope, gentlemen, this case having been presented for the South Atlantic coast, you will see fit to do the right thing, the just thing, and the needed thing—you know it is needed—and extend this dry dock at Charleston.

Mr. BEEDY. Will the gentleman yield?

Mr. EDWARDS. I will be pleased to yield.

Mr. BEEDY. The statement has been made by the gentleman from New York [Mr. TABER] that the naval authorities have never presented this case to the committee.

Mr. TABER. Or to the Budget.

Mr. BEEDY. Or to the Budget, and that is an important statement, and yet the statement is also made by the gentleman from South Carolina [Mr. McMILLAN] that this project has been called to the attention of the naval authorities and every one of them, without a dissenting voice, has approved of it. Now, what is the fact?

Mr. McMILLAN. If the gentleman will permit, that refers to the officers, the permanent officers, such as the captains and the admirals of the Navy, not to the administrative heads, so to speak.

Mr. EDWARDS. I will say, furthermore, in that connection, whether it has been called directly to the attention of the Navy Department or the Budget, this matter has been presented on the floor of the House ever since the gentleman from South Carolina [Mr. McMILLAN] has been in Congress. It bobs up every time we have an opportunity to bring it up, and we have begged and we have pleaded and we have argued for it, and I beg to-day that you do the just and the right thing, because it is needed. It is a shame on this country that we leave the shipping on the South Atlantic coast unprotected for 3,000 miles, when we have 17 dry docks north of Norfolk and only the one at Charleston on the coast south of Norfolk.

Now you have the case; let us do the right thing. [Applause.]

Mr. FRENCH. Mr. Chairman, this amendment ought not to pass.

In the first place, it carries a very sizable amount of money. The last gentleman who has spoken has referred to our distinguished and amiable friend from South Carolina, and I must confess, if the amiableness and graciousness of a gentleman of the House were to be thrown into the balances in determining the wisdom of an appropriation, long ago I would have surrendered upon this item to my friend from South Carolina. [Laughter and applause.]

The gentleman has importuned, he has presented every argument that it seems could be presented, but we, as Members of the House, have a serious responsibility here. We can not look lightly upon the expenditure of \$300,000 from the Treasury for a purpose that even is so desirable as the gentleman from South Carolina and the gentleman from Georgia indicate this to be. Now, what are the facts?

Mr. EDWARDS. Will the gentleman yield?

Mr. FRENCH. Let me just follow up this statement and then I shall be pleased to yield.

The dry dock at Charleston lacks only about 8 feet of being able to accommodate several of the cruisers that we have in the Navy to-day. This accommodation could be extended, as I am advised by the Navy Department, for the small sum of \$800 that would be used for the purpose of cutting out a niche on the land end of the dock.

The ships that we are providing for in the bill that passed the House yesterday will not be completed for a period of three years. It would not require more than a fraction of a year to extend the length of this dock so that it would accommodate the larger cruisers, and therefore there is no need of considering the item at this particular moment.

Mr. McMILLAN. Will the gentleman yield?

Mr. FRENCH. All right.

Mr. McMILLAN. The gentleman a moment ago made the statement that \$300,000 is quite a substantial amount. In part that is correct, but is it not true that in the extension of any dock, whether it be this dock of mine or any other dock, you are going to have to use money and it is going to cost money because it is a good project, and I want to say further that the cruisers that we have just authorized to be built will cost \$15,000,000 to \$20,000,000 each, and \$300,000 for the protection and maintenance of these cruisers will be a mere bagatelle, and, of course, nobody knows when or where they are going to go out of commission.

Mr. EDWARDS. Will the gentleman yield?

Mr. FRENCH. I yield now to the gentleman.

Mr. EDWARDS. The gentleman stated that the dock at Charleston, which is 566 feet long, just lacks 8 feet of being long enough. Adding 8 feet to 566 feet will make 574 feet, and the cruisers we have at present are 610 feet long.

Mr. FRENCH. Some of them.

Mr. EDWARDS. I want to ask the gentleman how much has the Government invested in the dry dock at Charleston?

Mr. FRENCH. We have the data right here.

Mr. EDWARDS. It is considerably over \$1,000,000, and it is now obsolete for the cruisers we have and it will be entirely obsolete for the cruisers that are to be built. So this \$300,000 will really vitalize and make modern the investment that we already have and will save the Government a vast sum of money in the long run.

Mr. FRENCH. Mr. Chairman, this question must, of course, be taken into consideration in connection with the development of the cruiser program during the next few years. When Admiral Gregory, Chief of the Bureau of Yards and Docks, was before our committee he spoke about the Charleston yard and said that the only class of naval vessels regularly using the Charleston dock was the mine sweeper *Falcon* class—180 feet long.

I want to say further that during the entire fiscal year of 1928 no large vessels were docked in the Dry Dock No. 1. He indicated that during the last six or seven months only some six small vessels of the Navy have docked in that dock.

We are trying to conserve the moneys of our Government in handling the naval appropriation bill. In connection with the extension of the dry dock you will in all probability have to provide cranes, machinery, facilities generally for doing work on larger ships that might be brought in and for which no adequate facilities now exist. More than that, this item is not one that the Navy Department regarded as of sufficient importance to bring to our attention during the hearings.

After the gentleman from South Carolina brought the matter to my attention I was so interested in seeing what the attitude of the department would be that I took up the question with the Chief of the Bureau of Naval Operations, Admiral Hughes, and he told me that as desirable as the dock might be, it was low down in the priority list of expenditures needed for the Navy.

I took the matter up with Admiral Gregory, Chief of the Bureau of Yards and Docks. I do not doubt that some naval officers have expressed their approval of the facilities, but the admiral said there are four or five million dollars of improvement work that ought to be made before this project should be undertaken. I submit, then, to Members of the House, that we ought not on the basis of any showing that has been made, when most of the very ships for which the dock extension is proposed, will not be coming into commission for several years, make such an appropriation at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. McMILLAN].

The question was taken; and on a division (demanded by Mr. FRENCH) there were 81 ayes and 45 noes.

Mr. FRENCH. Mr. Chairman, I am going to ask for tellers. Tellers were refused.

Mr. MILLER. Mr. Chairman, I offer the following amendment as a new section.

The Clerk read as follows:

Page 33, in line 2, after the figures "\$300,000," insert the following as a new paragraph:

"Puget Sound Navy Yard, Washington: For extension of Dry Dock No. 2, \$400,000. Limit of cost, \$700,000."

Mr. FRENCH. Mr. Chairman, I reserve a point of order on the amendment.

Mr. MILLER. Mr. Chairman and gentlemen, here is an item that is strongly recommended by the Navy Department and approved by the Director of the Budget [applause] and still it is eliminated from the bill. That is the condition that confronts the House on this amendment. It is recommended by the Director of the Budget. The Chief of the Bureau of Yards and Docks was before the committee at the hearing; that department is of the opinion that this is the most important item in the pending budget, in so far as satisfying the need of the fleet is concerned. It is extremely desirous of having the item made available. In fact, at one time it was strongly recommended to make the appropriation immediately available.

Here is the situation: There are seven navy yards on the Atlantic coast. There are two on the Pacific coast. There is the Mare Island Navy Yard and the Puget Sound Navy Yard. The Puget Sound Navy Yard is the only one capable of accommodating major ships in the Navy. The Puget Sound Navy Yard is the home of the Pacific Battleship Fleet. There is a dry dock there—Dock No. 2, 800 feet and 8 inches long. We

have as a part of the Pacific Fleet two airplane carriers, the *Lexington* and the *Saratoga*, each 888 feet long, which can not now be accommodated at the Puget Sound Navy Yard.

There is a dock at Balboa, 6,000 miles south of the home of the Pacific Fleet, that will accommodate the *Saratoga* and the *Lexington*. There is a dock at Pearl Harbor, 2,800 miles west of the home of the Pacific Fleet, that will accommodate the two airplane carriers. There is a private dock owned by the Bethlehem Ship Corporation at Hunters Point, San Francisco, that will accommodate these two vessels, but no navy yard dry dock in continental America. Here is where the difficulty lies. We pay 8 cents a ton per day for docking ships at the Hunters Point dry dock. These two airplane carriers are of 30,000 tons each and cost nearly \$43,000,000 each. They could be docked at the Hunters Point dry dock at a cost of \$2,400 a day. It takes 10 days to dock one of these ships, and there we have \$24,000 to dock each one of these ships once a year, and there are no repair facilities at the Hunters Point dry dock whatever. There is no electricity, no water, no heat, no crane service, nothing that can be used in the repair of these ships. This amendment provides that the only dock at a Pacific coast navy yard, Dock No. 2 at Puget Sound Navy Yard, be made available. We ask that this dry dock be extended 90 feet. The dock is already 800 feet 8 inches long and the ships are 888 feet long. We are working on a pretty small margin, but that will accommodate these two ships. The interest on \$700,000, the estimated cost, at 5 per cent, will be \$35,000 a year. To dock the two ships, the *Lexington* and the *Saratoga*, once a year at Hunters Point dry dock will cost \$48,000. This is the economy of the situation, and it must appeal to every Member.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. MILLER. Mr. Chairman, I ask unanimous consent to continue for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER. Everywhere, in every department of the Navy, they have been looking forward to this development at Puget Sound Navy Yard to accommodate these ships. There are repair facilities there of every character. We could build the *Saratoga* and the *Lexington* at the Puget Sound Navy Yard. At the Balboa dock, at the entrance to the Panama Canal, there are no facilities for the permanent repair of war vessels. All of the repairs there are for the temporary repairs of merchant ships, in order that they may make their home ports. There are no repair facilities at Pearl Harbor Navy Yard.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. MILLER. Yes.

Mr. ABERNETHY. How much is involved in this expenditure?

Mr. MILLER. The estimated cost is \$700,000, to extend the dry dock 90 feet, of which \$400,000 is covered in my amendment to make it available for next year.

Mr. ABERNETHY. Does the Budget approve of this?

Mr. MILLER. Yes; it does.

Mr. ABERNETHY. Why did not the committee put it in?

Mr. MILLER. The committee can explain that. I suppose they left it out on the ground of economy.

Mr. EDWARDS. How much is now invested in the dry dock proposed to be extended?

Mr. MILLER. About \$2,500,000; and there are two other docks there.

Mr. EDWARDS. And we can bring this dock up to date and make it serviceable for this expenditure of money.

Mr. MILLER. Absolutely. If it strikes the House that the economies of the situation are in favor of my amendment, then I ask the House to support the amendment. I think it ought to be included in the bill in accordance with the desire of the Navy Department and the Director of the Budget. It was arbitrarily excluded from the bill.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MILLER. Yes.

Mr. VINSON of Georgia. Is there one dock on the Pacific side now where the *Saratoga* and *Lexington*, the two large airplane carriers can be repaired, that belongs to the Government?

Mr. MILLER. There is not. None.

Mr. VINSON of Georgia. The nearest Government dock is at Pearl Harbor, is it not?

Mr. MILLER. Yes; and that is 2,700 miles away.

Mr. VINSON of Georgia. And the gentleman's amendment merely provides that the dock at Puget Sound be enlarged sufficiently to care for the two airplane carriers?

Mr. MILLER. Yes; and such other uses as the dock may be put to.



Mr. VINSON of Georgia. And it is recommended by the Budget and approved by the department.

Mr. MILLER. Yes.

Mr. ABERNETHY. There is sufficient water there for these ships to get into this dock, is there?

Mr. MILLER. Oh, yes.

Mr. FRENCH. Mr. Chairman, will the gentleman yield to permit me to ask a question of the gentleman from Georgia?

Mr. MILLER. Yes.

Mr. FRENCH. I desire to ask the gentleman from Georgia [Mr. VINSON] a question. Since this amendment is subject to the point of order, being legislation, has the gentleman's committee given any consideration to it?

Mr. VINSON of Georgia. We try to consider everything that the Navy Department sends to us. If this has not been considered I am at a loss to understand why it has not been sent up, but I am under the impression that we have had some hearings on this subject.

Mr. FRENCH. But the gentleman would not support it under any consideration, unless it had been reported out by his committee, would he?

Mr. VINSON of Georgia. Oh, in a matter of this importance where we have two ships costing \$80,000,000 to build, and they can not be accommodated at a dry dock there, it ought to be considered and approved the first time we get a chance to do it. [Applause.]

Mr. MILLER. And another thing. This is simply a continuation of a work heretofore authorized. For that reason I do not believe it is subject to the point of order. The Navy Department and everyone connected with that department wants to see this extension, so that these big ships that we have constructed may have a home along with the other vessels of the Pacific Fleet at the Puget Sound Navy Yard.

Mr. FRENCH. Mr. Chairman, I shall withdraw the reservation of the point of order that I made and discuss the proposition as it has been proposed. If the proposition shall go through, I think it ought to carry the limitation that would have made it subject to the point of order. The reason I withdraw my reservation of the point is because of my judgment in that regard. However, in my judgment, the amendment ought not to be approved. I think the Members of the House who have listened to the economies that can be brought about through the amendment of the gentleman from South Carolina [Mr. McMILLAN], as presented by him, and the economies that will be obtained if the amendment of the gentleman from Washington [Mr. MILLER] shall prevail, must realize that they are of such magnitude that if these gentlemen could get together and work out a scheme of expenditures for the Navy Department, the economies would be such that soon we would be able to have revenue sufficient to run the Naval Establishment.

Mr. VINSON of Georgia. Will the gentleman yield right there?

Mr. FRENCH. If the gentleman is serious in his argument in reference to such economies, I will yield and let him spring it on the House.

Mr. MILLER. I desire to say to the gentleman I am sincerely in earnest in this matter and that the Navy approves and the Budget recommends it. I have nothing whatever to "spring." Here is the question: Speaking of economies, it will cost \$24,000 for each of these vessels to dry dock at Hunters Point and 5 per cent interest on the amount covered by this item is \$35,000 a year and—

Mr. VINSON of Georgia. The gentleman a moment ago used the Budget's failure to approve the South Carolina item as a reason why the House should reject it. The Budget approves this, and, if you apply the same logic the gentleman was applying, why should not the committee accept this item?

Mr. FRENCH. That argument, of course, is worked both ways by the gentlemen on the other side. Let me continue with my observation on the merits of the proposition itself. We have at Bremerton a dry dock capable of accommodating every ship of the American Navy almost except the two carriers, *Lexington* and *Saratoga*. Those ships ordinarily will not be there. We carried in the bill that passed the House yesterday provision for authorizing an airplane carrier of a type that we suppose will be similar to five carriers that Congress will build as the years go along. Everyone knows that those two ships, the *Lexington* and the *Saratoga*, are money consumers; money consumers when in operation or when they are idle. They have cost, as has been said, upwards of \$40,000,000 each. They cost for maintenance more than any other ships of the American Navy for fuel. The amounts that are involved in just the keeping of those ships are so stupendous that we think the Government will consider, and members of our committee will consider, that they ought to be withdrawn from commission just as soon as their places can be

taken by other airplane carriers of a type that will be capable of caring for our needs more economically.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. LAGUARDIA. I desire to state to the gentleman that I pointed out these defects five or six years ago and I was kicked all over this floor and called a pacifist.

Mr. FRENCH. Let me continue my statement. These airplane carriers will need to go into dry dock possibly every year. We expect to accommodate them in the naval dry docks, if they should be in the Panama region, as they are apt to be during the year, or in the dry dock at Pearl Harbor, if they should be in Hawaiian waters, as they are apt to be during the year. Or again we could rent accommodations for them in a private dry dock at Hunters Point, San Francisco, when they go to that region. The gentleman from Washington has suggested that a long trip would need to be made to take these ships from San Francisco Bay to the Hawaiian Islands—

The CHAIRMAN. The time of the gentleman has expired.

Mr. FRENCH. I ask for five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FRENCH. It is a long trip. The gentleman has also told the House that it is 800 miles from San Francisco to Bremerton. I wonder if the gentleman has not convinced the House that it is such a distance from San Francisco Bay to Bremerton that the department has been justified in the use of the Hunters Point dry dock to the extent it has been used during the last year.

We could have taken the *New Mexico* to Bremerton, but we did not. We entered it at the dry dock at Hunters Point. The *Tennessee*, the *California*, the *West Virginia*, the *Idaho*, all of those capital ships, were put into dry dock at Hunters Point. The Government paid rent for accommodations at that dry dock, and the ships were not taken up to Bremerton. Why? Because of the item of cost involved in taking a great ship up there, I have no doubt, 800 miles up and 800 miles back, requiring all that steaming, chargeable to the Navy. I suspect if we were to approve of the amendment and increase the length of the dry dock at Bremerton, the *Saratoga* and the *Lexington* would be handled at Hunters Point rather than be sent on up to Bremerton for a few days in dry dock.

Now, the gentleman from Washington [Mr. MILLER] has figured in these several estimates of his and has pointed out to the House the profits that soon will be flowing into the Treasury from the investment. He has pointed out that it will probably require 10 days each for these ships to be in dry dock. Let me refer to the record touching capital ships at Hunters Point. The *Tennessee* was there 3 days, the *Pennsylvania* was there 5 days, the *California* 3 days, the *Idaho* 3 days, the *West Virginia* 2 days, the *Texas* 3 days, the *Lexington* 7 days, and the *Saratoga* 5 days. In other words, the time consumed by those capital ships, exclusive of the airplane carriers, at Hunters Point is on an average something like 3 days, or one-third of the time now estimated by the gentleman for the *Lexington* and the *Saratoga*. The gentleman proposes an investment of \$700,000 for a purpose that we hope will not need to be drawn upon only until one or a few airplane carriers of a smaller type may be built. With the needs of the Naval Establishment as they are, this House is not justified in adding willy-nilly another \$700,000, even though it be approved by the gentleman who has proposed the amendment.

Mr. MILLER. And by the Budget Bureau.

I desire to say further that it is not a "willy-nilly" matter. I have never before heard recommendations of the Budget termed "willy-nilly."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Washington [Mr. MILLER]. The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MILLER. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 43, noes 52.

Mr. MILLER. Mr. Chairman, I ask for tellers.

The CHAIRMAN. Tellers are demanded. The Chair will count. [After counting.] Twenty-four gentlemen have arisen, a sufficient number. Tellers are ordered. The Chair appoints the gentleman from Idaho [Mr. FRENCH] and the gentleman from Washington [Mr. MILLER] to act as tellers. All those favoring the amendment will pass between the tellers and be counted.

The committee again divided; and the tellers reported—ayes 52, noes 67.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Naval ammunition depot, Lake Denmark, N. J.: Replacement of certain public works destroyed by explosion, \$100,000.

Mr. VINSON of Georgia. Mr. Chairman, I made a point of order against the Lake Denmark item on the ground that it is legislation on an appropriation bill.

Let me make this statement: Of course, I recognize the fact that if this were a continuous public work this appropriation would be in order. But I call the Chair's attention to the fact that this property was destroyed by the great explosion at Lake Denmark when the munitions depot blew up. The purpose is to rebuild. Therefore it is a new item and not a continuation of a public work, falling in a different class from the other items enumerated in this bill concerning continuous public works.

The item says, "Replacement of certain works destroyed by explosion." I submit when it uses the words "destroyed by explosion" it means the rebuilding of these buildings that were destroyed. Therefore it is not in the category of a public work in process of being developed. It has got to start from the very beginning to be developed, and for that reason it must be authorized. And it is not authorized.

Mr. FRENCH. Mr. Chairman, I had hoped that the gentleman would not insist upon his point of order, even though it were sound. However, I do not think that the point of order is sound. When it comes to buildings and replacement of buildings that have been authorized by law we do not have authority in our committee to bring in money for new building construction, and even if a building were destroyed we would not have authority to bring in money to replace the building. It would have to be done following authorization.

However, in caring for explosives we have a different proposition entirely. We all recall the disaster at Lake Denmark, the destruction of much property, and the apprehension that was caused in the minds of people living in the vicinity of Lake Denmark and other cities in neighboring parts of New Jersey. As the result of that disaster last year the Congress in this very bill carried under this heading money for the construction of two magazine buildings, \$66,000.

I think the work is a work that is in progress. The storage of munitions is a different proposition from the storage of grain or the storage of automobiles or machinery. You do not ordinarily build many separate buildings for ordinary storage purposes. For powder and other explosives you must provide for safety by separating the contents through building numerous units. You think of storage space and not separate buildings as such. For instance, at Yorktown we are building a series of explosive containers that are of the igloo type. They would look like mounds to anyone who would be passing by. Are they separate houses? Are they separate institutions and works in the degree that we are required to come in and obtain an authorization for each one of them from the legislative committee? Or is it a part of a continuing program for the care of a very hazardous type of material, which ought to be cared for if human life and if property values are to be conserved? Now, the same principle, although a different type of container for the explosives, is applicable to the case of Lake Denmark.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. VINSON of Georgia. Do I understand the gentleman, then, to contend that where any Government building has been destroyed and it becomes necessary to replace it that the committee has the jurisdiction to replace it on the general idea that it is a continuation of public works, or does he contend that it is necessary to get legislative authority before he can make the appropriation?

Mr. FRENCH. Oh, no. I would like to say that I anticipated the gentleman's question by answering it before he asked it. In other words, I said a moment ago that, generally speaking, I did not think it was within our jurisdiction, in the absence of authorization, to report out money for new buildings or even for the replacement of buildings that had been totally destroyed. Here, however, is an emergency and here is a program that is under way for which money was carried in the bill last year to the extent of \$66,000.

Mr. VINSON of Georgia. Mr. Chairman, in view of the gentleman's statement as to what policy the committee will pursue when emergencies of this kind arise and when property is destroyed, I withdraw the point of order.

The Clerk read as follows:

Naval air station, San Diego, Calif.: Extension of erection shop, \$150,000; improvement of steam distribution, \$19,500; shell house and bomb magazine, \$9,000; extension of building No. 4, \$30,000; dredging

and extension of seaplane runway, \$60,000; improvement of flying field, \$25,000; in all, \$293,500.

Mr. VINSON of Georgia. Mr. Chairman, I make the point of order that line 14, shell house and bomb magazine, \$9,000, is legislation on an appropriation bill. Let me ask the chairman of the subcommittee whether any authority for this building has been granted?

Mr. FRENCH. If the gentleman makes the point of order, I shall be compelled to concede it.

Mr. VINSON of Georgia. What are the facts with reference to this? The gentleman may have good reasons for it, and so I ask him why it is necessary. Of course, it is legislation.

Mr. FRENCH. I would say that the accommodations contemplated are for the purpose of housing shells and bombs taken from aircraft or other ships that are for the time being at San Diego undergoing repairs, possibly, or based for the time being at San Diego. There ought to be facilities for caring for the shells and bombs during such periods.

Mr. VINSON of Georgia. Was this approved by the Navy Department?

Mr. FRENCH. It is approved by the department and comes to the committee in the regular order.

Mr. VINSON of Georgia. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

Naval air station, Pearl Harbor, Hawaii: Refrigerating plant for crews' galley, \$15,000; extension of motor test stands, \$25,000; in all, \$40,000.

Mr. UNDERHILL. Mr. Chairman, I move to strike out the last word. I had seriously thought of offering an amendment to this bill on page 32, the navy yard at Boston, Mass., for the construction of a marine railway and for the purchase of new machinery and tools, but I realize the hopelessness of securing the adoption of such an amendment. So I will not take up the time of the committee by offering the amendment. However, I do want to emphasize a little further what I had to say the other day about the situation as it exists on the east coast.

The Navy Department has apparently adopted the policy of keeping a large proportion of the fleet on the west coast. This was justified sometime ago, but there is no necessity at present for such an inequitable division of the fleet. If more vessels could be allocated to the east coast, or the Atlantic Fleet, undoubtedly considerable of the work load at the various yards could be stabilized. I confess that I am not as well informed on the necessities of the fleet as would lead me to utter any criticism whatever of the department's policy, but I am interested not only from a local but from a humanitarian view of the situation. To have some 600 men thrown out of employment in the middle of the winter seems almost criminal. I realize that money must be appropriated, and work allocated, or this undesirable condition is bound to occur. It occurred to me that these amendments might provide work at the present time, and take care, in a small degree, of the discharge of these expert mechanics in the Government yards. In other words, it is right along the lines as recommended by Mr. Hoover in one of his speeches.

Mr. FRENCH. Will the gentleman yield?

Mr. UNDERHILL. I yield.

Mr. FRENCH. I would say that the gentleman from Massachusetts [Mr. UNDERHILL] has been very earnest and diligent in presenting the needs of this naval station to the committee and in urging the amendment to which he is referring now and to which he referred the other day in his general discussion. However, as it appeared to the committee, we could not approve of the particular item. It did not have the support of the Navy Department before the committee; or, in other words, it did not come to the committee as a Budget recommendation.

More than this, I want to say—and I think it will interest the gentleman from Massachusetts—that when our hearings were on we discovered that there was an attrition going on in connection with the machinery and tools of the different navy yards that was far beyond the moneys for their upkeep and replacement, and, accordingly, we carry in this present bill \$1,500,000 as the first half of a program of \$3,000,000, which we hope to carry through in two years for the replacement of tools and machinery and facilities at the different navy yards. I think this will go a long way toward improving the situation in the navy yard in Massachusetts in which the gentleman is so much interested.

I doubt if it will touch the question of the marine railway, but I think it will give other facilities, and at another time we shall be able to consider the question still further.

Mr. UNDERHILL. May I ask the gentleman if the necessity, the crying necessity, for the replacement of equipment in



the Boston yard was presented to his committee, and if a part of this \$1,500,000 will probably go to replacement of the equipment of that yard up to the point where it ought to be as a first-class navy yard.

Mr. FRENCH. It was presented as part of the deficiency that exists in all the yards. I would say that the question of administration we have not attempted to direct. We are leaving that with the department. I have no doubt, however, that the navy yard at Boston will need to be brought up in tools and facilities, just as the other yards, where properties have been deteriorating, will need to be replaced in order that a better working condition may be brought about.

Mr. UNDERHILL. I thank the gentleman for his assurance, and I am satisfied with that for the present.

Mr. LA GUARDIA. Mr. Chairman, I move to strike out the last two words.

The gentleman from Massachusetts [Mr. UNDERHILL] made a very earnest plea for the benefit and the employment of the Naval Establishment in his district.

Mr. UNDERHILL. May I interrupt the gentleman to say that most of my remarks have been for the whole east coast and all the yards?

Mr. LA GUARDIA. For the whole east coast; I thank the gentleman. Therefore other Members will join the gentleman in making that plea.

Just a few moments ago the gentleman from South Carolina [Mr. McMILLAN], predicting a battle some time in the near future in the immediate vicinity of his State, prevailed upon this House to adopt a motion for the establishment of a navy yard at Charleston. Then the gentleman from Washington [Mr. MILLER] complained a few moments ago, in accordance with the exact statement made by the gentleman from Massachusetts, that the fleet had been transferred mostly to the Pacific and therefore they required another dry dock in the vicinity of his district located on the Pacific.

Yesterday we provided for 15 more cruisers and an additional airplane carrier. To-day we are providing for additional dry docks because of these additional cruisers. By the time the next appropriation bill comes out, perhaps, we will find we have too many dry docks and therefore we will require more cruisers to occupy the unemployed dry docks. And now, Mr. Chairman, for the sake of brevity, instead of having these amendments offered piecemeal, one at a time, I believe we ought to adopt an amendment providing for a dry dock and navy yard in every congressional district and send them down to the document room for distribution. [Laughter.]

The pro forma amendments were withdrawn.

The Clerk read as follows:

#### BUREAU OF AERONAUTICS

##### AVIATION, NAVY

For aviation, as follows: For navigational, photographic, aerological, radio, and miscellaneous equipment, including repairs thereto, for use with aircraft built or building on June 30, 1929, \$1,155,000; for maintenance, repair, and operation of aircraft factory, air stations, fleet, and all other aviation activities, testing laboratories, for overhauling of planes, and for the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, \$12,170,000, including \$230,000 for the equipment of vessels with catapults and including not to exceed \$160,000 for the procurement of helium of which such amounts as may be required may be transferred in advance to the Bureau of Mines; for continuing experiments and development work on all types of aircraft, including the payment of part-time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicians as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$20 per diem for any person so employed, \$2,000,000; for drafting, clerical, inspection, and messenger service, \$820,000; for new construction and procurement of aircraft and equipment, including not to exceed \$774,000 for the Naval Reserve, \$14,215,000, of which amount not to exceed \$10,000,000 shall be available for the payment of obligations incurred under the contract authorization for these purposes carried in the Navy appropriation act for the fiscal year 1929, approved May 21, 1928 (45 Stat. 637); toward the construction of one of the rigid airships as provided in the act authorizing construction of aircraft, etc., approved June 24, 1926 (U. S. C., Supp. I, p. 223, sec. 749a), \$1,000,000; in all, \$31,360,000, of which \$248,000 shall be available immediately; and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That in addition to the amount herein appropriated and specified for expenditure for new construction and procurement of aircraft and equipment, the Secretary of the Navy may, prior to July 1, 1931, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts and accessories, to an amount not in excess of \$10,000,000: *Provided further*, That not to exceed \$150,000 of the appropriation "Aviation, Navy, 1927," shall remain

available until June 30, 1930: *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coasts of the continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages, which have occurred or may occur to private property growing out of the operations of naval aircraft, where such claim does not exceed the sum of \$250.

Mr. FRENCH and Mr. McKEOWN rose.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent that the word "procurement," on page 35, line 13, may be properly spelled.

The CHAIRMAN. Without objection, the spelling of the word "procurement," on page 35, line 13, will be corrected.

There was no objection.

Mr. McKEOWN. Mr. Chairman, I make a point of order against the language on page 35, line 14, after the word "helium," "of which such amounts as may be required may be transferred in advance to the Bureau of Mines."

The CHAIRMAN. On what ground, may the Chair inquire?

Mr. McKEOWN. That it is not authorized by law.

The CHAIRMAN. Does the gentleman from Idaho desire to be heard?

Mr. FRENCH. The language to which the point of order is directed is the language that provides that moneys may be transferred in advance to the Bureau of Mines for the purchase of helium.

Mr. McKEOWN. But the language is—

of which such amount as may be required may be transferred in advance to the Bureau of Mines—

And I say that is not authorized by law.

Mr. FRENCH. I think the point of order is not sound for the reason that the Bureau of Mines has been authorized to construct a helium-producing plant, and such plant is now completed or practically completed, at an expenditure of something like \$1,600,000 or \$1,700,000, including money that has been paid for leases.

The plant is in such shape that in a very short time, possibly 30 days, certainly not more than 90 or 120 days, it can be in operation. The general law provides for the transfer of money from one department to another. I now direct the attention of the Chairman to Forty-first Statutes at Large, page 613, chapter 194, wherein we find the following language:

SEC. 7. That whenever any Government bureau or department procures, by purchase or manufacture, stores or materials of any kind, or performs any service for another bureau or department, the funds of the bureau or department for which the stores or materials are to be procured or the service performed may be placed subject to the requisitions of the bureau or department making the procurement or performing the service for direct expenditure: *Provided*, That funds so placed with the procuring bureau shall remain available for a period of two years for the purposes for which the allocation was made unless sooner expended.

It seems that there is no question that authority exists for precisely what we have provided for in the bill.

Mr. McKEOWN. Does the gentleman recollect that we recently passed a bill setting out that the department should buy helium from private individuals if they sold it cheaper than the bureau of the Government? This is in contravention of that statute.

Mr. LA GUARDIA. The gentleman's point of order is not based on that.

Mr. McKEOWN. The provision in the bill is in contravention of the law. The statute says that they shall buy from private individuals if the private individuals sell it cheaper.

The CHAIRMAN. Will the gentleman from Idaho give the Chair the citation again?

Mr. FRENCH. It is Forty-first Statutes at Large, page 613, chapter 194. It is also in the volume of the Navy Laws, which I shall send to the desk.

Mr. McKEOWN. I want to call attention to the Chair the fact that we passed a bill relative to the production of helium in the Sixty-eighth Congress, and in that it provided that the United States should buy from private parties wherever and whenever they could buy it cheaper than they could from the Government. In other words, they gave the private individual some opportunity if he could sell it cheaper than the Government.

Mr. FRENCH. I think the gentleman from Oklahoma is under a misapprehension. There is nothing in the language that requires the Government to buy from the Bureau of Mines. We used the word "may."

Mr. McKEOWN. There is nothing here giving private parties the opportunity to sell if they can sell cheaper to the Government.

Mr. ARENTZ. The language in the bill is clear:

Where the procurement of helium, of which such amounts as may be required may be transferred in advance to the Bureau of Mines.

If that does not mean purchase from the Bureau of Mines, what does it mean?

The CHAIRMAN. Will the gentleman from Oklahoma cite the Chair to the statute that he alludes to?

Mr. McKEOWN. Mr. Chairman, I have not the statute here, but I think I can give the language.

The CHAIRMAN. The Chair thinks it is necessary for him to have the statute before him.

Mr. JONES. Mr. Chairman, I call the attention of the Chair to the fact that in the act to which the gentleman refers there was a provision that the Bureau of Mines should furnish the Army and the Navy such amounts as they required, and this is in strict accord with both the naval law and the helium law. I think the gentleman's point of order is not well taken.

Mr. McKEOWN. The act was passed in the Sixty-eighth Congress.

The CHAIRMAN. Unless the gentleman from Oklahoma can give the Chair a definite citation of the statute, the Chair is obliged to overrule the point of order. The Chair overrules the point of order.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. Gentlemen, you talk about the Government in business and keeping the Government out of business. What are you doing? It depends upon whose business it is that you are going to keep the Government out of it. Private operators expend their money to produce helium gas. The Government undertakes through its departments to horn everybody out of the business. After a private party goes in, manufactures it, then comes along the Bureau of Mines and tells the Navy Department and the War Department that they can let them have helium for \$20 a thousand; but they do not count in the overhead, the cost of the buildings erected by the Government, and so forth. They do not figure that overhead in, and they do not figure the cost. They then come up here and say that they can make it for less money.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. PERKINS. It seems to me that if you read carefully this appropriation it means that there is appropriated \$160,000, part of which may be transferred to the Bureau of Mines to purchase helium, but it does not provide for the transfer of helium. It simply provides that they can purchase helium out of the \$160,000.

Mr. McKEOWN. Here is what is taking place, and it does not make any difference whether you call it a transfer to buy helium or not. The Bureau of Mines has gone into the helium business. The Congress put a provision in the helium bill regulating the sale of helium that they should buy from private individuals, if they could buy it cheaper.

I have no objection to the Government having supervision or the right to go in at any time its necessities require and acquire all of the helium it wants, but let me show you what they do to that business. Suppose you are in the helium business. You figure your cost on the amount of overhead and the amount of your capital that you have invested, but here comes the Government and puts in this money and they want to sell it back to the Government at just what it cost to put it in, not counting in the operating cost or the capital invested.

Mr. BLACK of Texas. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. BLACK of Texas. I understand that the helium plant at Fort Worth cost \$4,000,000.

Mr. McKEOWN. Yes.

Mr. BLACK of Texas. I doubt if they produced that much helium throughout the entire operation of the plant. I understand that it has been discontinued and is to be turned into a fish hatchery. I am wondering how it may be used for that purpose.

Mr. McKEOWN. I was here on the floor opposing the construction of the plant at Fort Worth because I took the position at that time that the helium territory at that time was not adjacent to Fort Worth, but on account of more powerful influences it went to Texas and left the helium country in Oklahoma and Kansas without any plant, but as the gentleman says, we invested our money, and you are doing it again through the Bureau of Mines. You are giving them thousands and thousands of dollars to go out there and put out of business the private people who have invested their capital in good faith, wanting to sell to the Government.

Mr. HOWARD of Oklahoma. Is it not a fact that the policy of the Government in the handling of helium is throttling private enterprise and permitting daily millions of feet of gas to be consumed in which there is helium, which can not find a market, and which consequently is not expected?

Mr. PERKINS. Can the gentleman inform us when the plant at Fort Worth was constructed?

Mr. McKEOWN. It was constructed some time prior to 1920.

Mr. PERKINS. About 10 or 11 years ago?

Mr. McKEOWN. Yes. I have no objection, be it understood, to the Bureau of Mines going out and investigate to find out how cheaply helium can be produced. I have no objection to the Bureau of Mines selling it, if the Government wants to go into the business, to the different departments of the Government, but I do object to the Bureau of Mines selling it for just what it costs them to produce, without counting in the overhead and the investment of the United States Government.

Mr. SCHAFER. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. SCHAFER. The Democratic Party put the Government into this helium business in 1918, did it not?

Mr. McKEOWN. I suppose that all of us put it in; the Republicans voted for it, just as the Democrats did.

Mr. UNDERHILL. What is the gentleman's attitude on Muscle Shoals?

Mr. McKEOWN. I will tell the gentleman exactly. There is no use of expressing your opinion on a matter that for the present is dead, but I will give you my opinion about it. I have been of the opinion all of the time that it should be so run as to yield a fair return to the people of the country, who put their money in it—that is, the people of the United States—and so that the most good can be obtained from it at reasonable rates to the people. That is what I think about it. If the Government intruded in the gentleman's business, I am sure that he would join with me in saying that he wanted the Government out of it.

Mr. FRENCH. Mr. Chairman, I think that I should make a short statement to the House upon the helium question. What the gentleman from Oklahoma [Mr. McKEOWN] has said touching the investment of the United States in Texas at Fort Worth, is generally correct. I am not commenting on the details. The helium bearing gas from which we have been extracting helium at the Fort Worth plant has become so nearly exhausted that it is not profitable to operate the plant any more. With that thought a new plant under the Bureau of Mines was provided for less than two years ago, to be constructed at some other place. The place chosen is Amarillo, Tex. That plant, together with the pipe line, has cost \$775,000. The Government has made an investment of \$855,800 in gas fields, largely in leases, as I understand it, making a total investment in the new Amarillo plant of \$1,620,800. The committee has estimates from the Bureau of Mines that the helium from that plant can be produced if we will give the Bureau of Mines the opportunity of producing as much as 675,000 cubic feet per month, at \$20 per thousand cubic feet, and at a less cost for increased production. There is a private plant at Dexter, Kans., which has been operating for less than a year and a half. That plant cost about one-half million dollars. From that plant we can purchase helium at about \$35 per thousand cubic feet. The gentleman from Oklahoma says that the overhead of the Government plant in Texas ought to be figured in as part of the cost to the Government of helium from the plant, if we are going to compare the cost of the Government's production of helium with the cost of procuring it from a private plant. That may be true from the standpoint of economic comparisons, but is it true from the standpoint of cost to the Treasury?

The investment of the Government has been made. Rightfully or wrongfully we own the plant. We thus have this plant investment whether we purchase from a private institution or take the helium from the plant owned by the Government. You can not get away from it. You must keep the plant in some sort of repair whether operated or idle. You must take into account the interest upon the investment. In other words, by purchasing helium from a private plant you do not stop the overhead expense at the Government plant. You must add it in to the cost of the helium whether you purchase helium from the Government or from the private plant. If that is true, we must approach this question upon the basis of where we shall be able to procure helium the cheapest. We found we could procure helium from the Government plant at a cost not greater than \$20 per 1,000 cubic feet, exclusive of the investment cost, as against about \$35 per 1,000 cubic feet from a private plant. However, we do not undertake to require that the Government purchase from the Government plant. We have left it clearly



optional with the department. We have used the word "may" so that if a private plant may produce helium at an attractive price, or if the Bureau of Mines can not meet the situation, the Navy Department may have an opportunity to purchase wherever it may do so.

Mr. McKEOWN. Will the gentleman yield?

Mr. FRENCH. I will.

Mr. McKEOWN. Will the gentleman tell us how much it cost the Government per 1,000 cubic feet of helium when you take into consideration the total amount of investment that is put into the proposition?

Mr. FRENCH. Oh, the gentleman would have to include in that the whole investment, cost of experimental work, cost of experimentation, and so forth. Surely that would not be fair. Now, with reference to the Fort Worth plant—

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKEOWN. I ask that the gentleman may have two minutes more in order that I may ask him a question.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. McKEOWN. Suppose the United States Government should go into the gentleman's district and take some of the fine, rich potato land out in the State of Idaho and go into the potato business. Would the gentleman say that the Government of the United States should just measure the price they could purchase at without computing the cost to private people?

Mr. FRENCH. The gentleman's illustration is not apt. The Government does not want to go into private business and it is not seeking to do so. We are told by the experts from the Bureau of Mines that it is estimated that we have enough helium in the United States to last our country 700 years upon the basis of the use of 10,000,000 cubic feet per year. But no one knows and no one knows the waste that will go on.

Mr. McKEOWN. I just wanted to say we have some figures on Fort Worth.

Mr. FRENCH. Yes; and I am glad the gentleman interjected that observation for the reason that we do not know. We can not tell how much helium there may be in the earth in the United States. So far as we know the world's great store of helium is within the United States. No other country has helium to any great extent. The scientists in Japan are trying to extract helium from the gases of volcanos.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FRENCH. I ask for three additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FRENCH. The scientists in Germany and other countries are working to see if they can not extract helium from the air, from other gases, or if they may not discover a gas which is not inflammable.

Helium is so valuable that under the law it may not be exported from the United States except upon permission from the President.

Now, that leads me to a point that is pertinent right here. The Dexter Field, in Kansas, where the private plant is located, is a field that contains gases that are not used commercially, in addition to gases from other wells of commercial value. The gases from which the helium is being extracted in that field to-day are gases which do not have commercial value. Helium ought to be conserved in a field like that.

In the Texas field helium is infused with a gas that is being used for industry as it is flowing from the well. As it goes into industry, unless the helium shall be extracted at the time, it passes on as waste product, without anybody receiving any profit from it whatever. In the interest of conservation we ought to have regard for what seems to be natural storage.

We ought to purchase it and extract it from fields where gas is being used for commercial purposes, and not go to the fields where the helium would not be withdrawn with gasses for commercial use.

Mr. McKEOWN. Has the gentleman any information about the helium gas that is being extracted from the northern and northwestern parts of the State of Oklahoma? Is any effort being made to obtain that helium?

Mr. FRENCH. My idea is that we ought to obtain helium from the place where it is or may be taken from the earth as a by-product of another gas, and where it otherwise would go to waste.

Mr. McKEOWN. The gentleman knows that on the lands where gas of no commercial value is produced you find more and better helium?

Mr. FRENCH. Yes; and that gas ought to stay in the ground last of all. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Page 35, line 14, after the word "such" insert the word "sum."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. UNDERHILL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. UNDERHILL: Page 37, line 7, strike out "\$250" and insert "\$500."

Mr. UNDERHILL. Mr. Chairman, it is ridiculous to make a limitation of \$250 in case of airplane accidents which may be settled directly by the department. The Committee on Claims has within two weeks considered one of these accidents, which damaged four different owners of property, and every case in excess of \$300. In each instance it has been necessary to bring before Congress a special bill, to take up the time of the committee and of the House and of the Senate, in order to settle a just debt owed by the Government to one of its citizens—a debt which could have been settled in five minutes by the department without anybody losing anything or the Government being in any way mulcted of anything. There should be no limit on the departments. Honest and immediate settlement is the only law.

I recognize that that is too revolutionary and too arbitrary to effect any such amendment as that to prevail; I offer an amendment increasing the amount to \$500, and, if I am here when another such bill is considered, I may offer an amendment for \$1,000, and so on, until Congress is educated to the policy of referring these matters to the department where they belong, where they can be settled without delay, without suit, without the intervention of a lawyer, and without economic waste.

Mr. SCHAFER. Mr. Chairman, will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. SCHAFER. That would not preclude a claimant from bringing a claim to Congress if the Navy Department were arbitrary. They are very arbitrary in many cases in order to cover up the negligence of some member of their establishment.

Mr. UNDERHILL. Congress has been very liberal with the public.

Mr. BLACK of Texas. Mr. Chairman, will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. BLACK of Texas. My recollection is that we have a general law that does permit the Secretary of the Navy in these cases to settle a claim of not more than \$250. I did not make a point of order because I think the limit of \$500 is a reasonable one. But the Congress has heretofore refused to adopt a law making a claim payable by the department in too large amount.

Mr. UNDERHILL. The department has a law to enable them to settle damage claims caused by United States vessels up to \$1,000.

Mr. BLACK of Texas. That does not apply to aircraft, as I recollect it. My recollection as to the paragraph relating to aircraft is that the limitation is \$250.

Mr. UNDERHILL. My recollection is that the Army already has the privilege of settling claims up to \$500. I think this amendment will surely do no harm. I hope the chairman of the committee will accept the amendment.

Mr. FRENCH. Mr. Chairman, I am advised that the provision in the Army bill is \$250. On the other hand, it seems to me the amendment is in line with good business and good sense. If in a businesslike way, when an airplane is required to make a forced landing and plow through a garden or through a field of grain, an adjustment could be made within 30 days after the accident may have occurred, the Government would be advantaged and so would the individual who has suffered the loss. On behalf of the committee, I am glad to accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

The Clerk read as follows:

For miscellaneous supplies, material, equipment, personal and other services, and for other incidental expenses for the Marine Corps not otherwise provided for; purchase, repair, and exchange of typewriters and calculating machines; purchase and repair of furniture and fixtures; purchase, exchange, and repair of motor-propelled and horse-drawn pas-

senger-carrying and other vehicles, including parts; veterinary services and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; books, newspapers, and periodicals; printing and binding; packing and crating of officers' allowance of baggage; funeral expenses of officers and enlisted men and accepted applicants for enlistment and retired officers on active duty and retired enlisted men of the Marine Corps, including the transportation of their bodies, arms, and wearing apparel from the place of demise to the homes of the deceased in the United States; construction, operation, and maintenance of laundries; and for all emergencies and extraordinary expenses, \$2,028,159: *Provided*, That there may be expended out of this appropriation not to exceed \$23,100 (including the exchange value of any vehicles which may be used as part payment) for the purchase of 17 motor-propelled passenger-carrying vehicles, the gross cost of any one vehicle not to be in excess of the respective amounts which follow: Three, \$2,000 each; four, \$1,300 each; ten, \$650 each; also 20 motor cycles, cost not to exceed \$270 each: *Provided further*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, watchman, interpreter, and messenger service in the classified field service of the Marine Corps, for the fiscal year ending June 30, 1930, shall not exceed \$90,000.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to return to page 42, which is less than two pages back, for the purpose of correcting the typographical structure of the sentence. One line seems to have been dropped and reinserted in the wrong place. The amendment which I desire to offer will correct that.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent to return to page 42 for the purpose indicated. Is there objection?

There was no objection.

Mr. FRENCH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: On page 42, line 14, strike out all the matter in line 14 and insert in lieu thereof the following: "ment, including cash in lieu of ferrriage and transfers en-"

The amendment was agreed to.

The Clerk read as follows:

#### INCREASE OF THE NAVY

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized, \$22,750,000, and in addition the Secretary of the Treasury is authorized and directed to make transfers during the fiscal year 1930 from the naval supply account fund to this appropriation of sum aggregating \$2,000,000, and the total sum hereby made available shall remain available until expended.

Mr. FRENCH. Mr. Chairman, on page 45, line 9, I move to strike out the word "sum" and insert the word "sums."

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Page 45, line 9, strike out the word "sum" and insert in lieu thereof the word "sums."

The amendment was agreed to.

The Clerk read as follows:

Armor, armament, and ammunition: Toward the armor, armament, and ammunition for vessels heretofore authorized, to remain available until expended, \$12,000,000.

Mr. FISH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 45, line 14, after "\$12,000,000," add the following: "*Provided*, That any contract for naval construction may be canceled in whole or in part by the President at his discretion which is inconsistent with the terms of any treaty hereafter ratified to further limit naval armament."

Mr. WAINWRIGHT. Mr. Chairman, I make the point of order that that is legislation upon an appropriation bill.

Mr. FISH. Will the gentleman reserve his point of order?

Mr. WAINWRIGHT. I will reserve the point of order so that the gentleman may make a statement.

Mr. FISH. Mr. Chairman, of course, the amendment is subject to a point of order; but the amendment I propose, if my colleague from New York will study it, does not interfere or limit the naval appropriations except after a treaty has been ratified by the Senate of the United States. Then it gives the

President power immediately to curtail, cut down, or cancel the appropriations for the construction of ships in the event a treaty to limit armament is ratified. It does not simply require an agreement to be reached, but actually requires a treaty to be ratified. I am sure that if the gentleman understands the exact situation he would not care to tie the hands of the President of the United States to cancel contracts for naval construction after a treaty has been ratified to limit naval armament. It is an entirely different proposition than that of entering into an agreement for naval limitation which has no legal standing until it is ratified by treaty. A provision already exists under the bill that was passed yesterday empowering the President to suspend all construction in case an agreement is reached to limit naval armament, and this gives him power to cancel naval contracts in case a treaty is ratified. Certainly the gentleman can not find any objection to a proposition of that kind.

Mr. SCHAFER. Will the gentleman yield?

Mr. FISH. Yes.

Mr. SCHAFER. I think the incorporation of the gentleman's amendment in this bill would have a tendency to increase the cost of these repairs and alterations, because it would be necessary to have a cancellation clause in the contract; and with that cancellation clause in the contract the bids would necessarily be higher.

Mr. FISH. No. The purpose of the amendment is to save money to the Government. The main purpose of the amendment is to free the hands of the President when he goes into a conference to limit naval armament; and, secondly, to save money to the Government, because if you ratify a treaty it may be months before the President can be empowered to cancel existing contracts.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. FISH. I yield.

Mr. LA GUARDIA. Of course, I am sympathetic toward what the gentleman is trying to do, but with respect to strengthening the hands of the President, we strengthened them with 15 cruisers, and then had the inconsistency to say that we were looking to a disarmament conference.

Mr. FISH. I am very strongly for the 15 cruisers.

Mr. LA GUARDIA. Then the gentleman is inconsistent, too.

Mr. FISH. No; because I am in favor of parity or equality with Great Britain, but I believe that Great Britain and Japan are ready to agree to a limitation upon light cruisers such as we authorized yesterday. I voted with an overwhelming majority of the House in favor of the 15 cruisers, but believe provocative competition can only be prevented by calling a conference in the near future to extend the 5-5-3 ratio to light cruisers.

Mr. WAINWRIGHT. Mr. Chairman, I think we can face the situation contemplated by this amendment when it arises.

No such situation can arise until a future Congress, and I believe it can then be met. I feel, though, that the conditions and the mandatory provision relating to the construction of these cruisers as contained in the bill which has now passed both Houses and which either has been or we hope will be signed shortly, should not in any way be qualified or subjected to any further conditions. I must insist upon my point of order.

Mr. FISH. Does not the gentleman know that the President already has the power to suspend all construction under the bill that passed yesterday? This is to give him the right and the power after a treaty is ratified to cancel all appropriations, in whole or in part, to conform with any limitation of armament treaty hereafter ratified.

Mr. TEMPLE. Will the gentleman yield?

Mr. FISH. Yes; I yield.

Mr. TEMPLE. Is it not true that a treaty when it is ratified becomes a law and supersedes any statute of earlier date?

Mr. FISH. That is a question for the courts to decide.

Mr. TEMPLE. Have they not already decided it?

Mr. FISH. I think they have uniformly held that a treaty and a law of Congress are of equal force.

Mr. TEMPLE. Of equal power, and the one of later date is the one that is to be enforced.

Mr. FISH. That is a question for the courts.

Mr. WAINWRIGHT. Mr. Chairman, I insist upon my point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BLACK of New York. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.



Mr. BLACK of New York. Mr. Chairman, President Coolidge in his Armistice Day speech has brought to the forefront the question of our naval inadequacy. Now that America has become the leading economic unit of the world it is well that we take a reckoning of our power on the seas.

In 1916 President Wilson, conscious of our advancing economic status, inaugurated a great naval program as a guaranty for our commercial security. The main feature of the program was the large battleship of great speed, range, and tonnage. This plan was interrupted by the war. Ship workers were required to build merchantmen and destroyers as a protection for the merchant ships. In 1919 the Wilson program was renewed, and we were well on our way to having the leading navy of the world when British statesmen became alarmed at our naval and economic expansion.

The first sea lord, Admiral Wemyss, insisted that we abandon our naval and commercial maritime program. Pacifists in America followed the British Admiralty, and after British propaganda had steamed up the disarmament cult, President Harding called the Washington conference. Uniform disarmament may make for peace, but unilateral disarmament, such as America disarming while Britain arms, has a quite different effect.

The American proposals at the Washington disarmament conference were fair enough, but the other powers considered the conference a maneuver in the naval war game, and we were defeated.

We proposed under our main plan—

the use of capital-ship tonnage as the measurement for strength for navies and a proportionate allowance of auxiliary combatant craft prescribed.

By this we intended that there be a reduction by all powers in battleship tonnage and a reduction in proportion of light cruisers, destroyers, and submarines.

The conference proceeded to work on this basis—naturally the first unit to be considered was the capital ship, the ship of over 10,000 tons. We agreed on a ratio of capital ships to Britain and Japan known as the 5-5-3. For every 5 tons of capital-ship construction we were to have, Great Britain was to have 5 tons and Japan 3 tons. No new construction, except specified replacements, were to be built which were over 10,000 tons or to carry over 8-inch guns. Great Britain and the United States were each allowed to have 135,000 tons of aircraft carriers.

We scrapped 11 ships out of 15, 40 per cent completed, on which we had spent four hundred millions. We scrapped 32 ships of a total tonnage of 842,380 tons, 552,800 of which was new construction. Great Britain scrapped 447,750 of old tonnage. Great Britain scrapped 22 ships, 18 of which were obsolete. We further agreed not to fortify naval bases in the Pacific. Japan and Great Britain were free to strengthen theirs.

Moreover, as the relative capital-ship power worked out Great Britain has 558,950 tons of capital ships, while we have 525,850 tons. Britain's ships are faster and of greater ranges. The British compute normal displacement with a light load, while we compute it with a maximum load. So the actual British tonnage approaches 600,000 tons. The British list the *Renown* at 26,500 tons, but when she passed through the Panama Canal with a light load she weighed 33,379 tons. Our *Mississippi* and *Idaho*, listed at 32,000 tons, went through the canal the same year, but in actual displacement were far less than the *Renown*.

The broadside fire of our three largest ships is 16,800 pounds, while that of the three largest British vessels is 21,060 pounds.

We in 1922 were in a better financial position to proceed with capital-ship construction than the other powers. Our wealth amounted to \$320,803,862,000, Great Britain's to \$120,000,000,000, Japan's to \$22,500,000,000.

It is quite apparent, then, that at the Washington conference the United States made a most substantial contribution for peace through disarmament. But Great Britain and Japan did not see the conference in that light. Instead, they applied the money saved through curtailed battleship construction to large cruisers and submarines, throwing out of balance the 5-5-3 formula.

Since the conference Great Britain has provided for the construction of 28 cruisers in excess of 7,500 tons each. We have been forced by Great Britain's building plans to provide for 18 in excess of 7,500 tons. Considering all modern cruisers provided for, the British have 67 of a tonnage of 386,636, Japan 33 of a tonnage of 206,415, and the United States 18 of a tonnage of 146,000. This makes the tonnage ratio: British Empire, 5.0; Japan, 2.7; United States, 1.4. In 1931, when there may be another conference should the powers party to the Washington conference agree to call one, the British will have 30 cruisers carrying 8-inch guns with a range of 7 miles and we will have 8.

Even if the President signs the 15 cruiser bill, we will be far behind Great Britain in 1931. Moreover, the British have 888,000 tons of fast merchant ships that could be converted into 6-inch-gun cruisers, while we have only 188,000 tons.

The British have in light cruisers of 20 years of age or less and a speed of over 27 knots, known as first-line cruisers, 58 of a tonnage of 362,596. We have 13 of a tonnage of 155,000. Japan has 18 of a tonnage of 196,000.

In cruisers 20 years or less of age and a speed of less than 27 knots, known as second-line cruisers, the British have 9 ships of 5 to 16 years of age of a tonnage of 48,380. We have 6 ships of from 19 to 20 years of age of a tonnage of 53,930. Of cruisers past the effective age of 20 years we have 16 ships, while the British have none.

All the naval experts of all the powers agree on the tremendous value of cruisers, so that when we consented to a disarmament of capital ships and left the field for building cruisers open, and the British and the Japanese took advantage of the letter of the treaty and constructed modern cruisers, the Washington conference worked to the decided disadvantage of the United States.

When the Geneva conference was called it was for the purpose of bringing about a disarmament of auxiliary craft, particularly cruisers. The position of the United States and Great Britain at the Washington conference was reversed at the Geneva conference. At the Washington conference we had the strength and sacrificed it. At the Geneva conference Great Britain had the strength and refused to sacrifice it. Instead of agreeing to cut down her cruiser strength at Geneva, the British insisted that their minimum need was 70 cruisers, asking in all for a 600,000-ton cruiser construction. We suggested a maximum of 300,000 tons of cruiser tonnage.

Great Britain further wanted to divide the cruisers into two classes, the 10,000-ton 8-inch-gun cruisers and the 6,000-ton 6-inch-gun cruisers. If an agreement had been worked out on that basis, we could have had an equal number of 10,000-ton cruisers with Great Britain and an equal number of the 6,000-ton cruisers, but this would not be a parity in cruiser strength, because Great Britain has four bases in the Atlantic—one at Bermuda, one at Halifax, one at Trinidad, and one at St. Lucia. Our 6,000-ton cruisers would be comparatively useless to us because of our lack of bases, whereas the 6,000-ton cruisers of the British could be put to the utmost utility because of these accessible bases. This proposal of Great Britain was fraught with trickery and it is to the credit of the American delegation that they did not subscribe to it. Great Britain does not want to give us parity in naval strength, although Great Britain has always proclaimed her right to rule the seas based on her economic position. That economic position has been changed in favor of us since the war. Accepting the British precedent, we have a right to rule the seas. However, we have not insisted on that, and at the Washington conference agreed upon a parity of naval strength. But the British position on this some time after the disarmament conference was stated by the Chancellor of the Exchequer, Mr. Winston Churchill, when he said:

Therefore we are not able now, and I hope at no future time, to embody in a solemn international agreement any conditions which would bind us to the principle of mathematical parity in our naval strength.

Parity in naval strength to the British means the surrender of their age-long claim to the rule of the seas, and no British political party will be at any time ready to acquiesce in parity. Indeed, it was the Labor Party, through Mr. Ramsey MacDonald, that departed from the spirit of the Washington conference and started the erection of modern cruisers in 1924. I have always believed that we would not be in the naval snarl we now find ourselves had our State Department protested against the building of these modern cruisers by Great Britain as a violation of the spirit of the Washington conference. The great naval issue to-day is cruiser strength. Japan, after the disarmament conference, fostered a plan for the construction of 22 cruising submarines, hiring the best German submarine experts to supervise the construction. We have a large number of old and small submarines, and their use was restricted to our disadvantage by the rules laid down at the Washington conference.

The British since the disarmament conference have 16 fleet submarines built or in building and 12 more authorized. The Japanese have 25. We have 6 built or building, and at the last Congress we appropriated a small sum for plans for 3 more, so that on fleet submarines, which are the submarines capable of operating with the fleet, we are far below the 5-5-3 ratio; and this is another item that has unbalanced the 5-5-3 ratio. We have no destroyer leaders. These are a slightly larger type of destroyer, with greater speed, and are necessary to direct the movement of a destroyer squadron, and there should be 1 destroyer leader for each group of 18 destroyers.

Great Britain has 18 destroyer leaders, while Japan has 24. We outrank Great Britain in the number of destroyers, having 262 to Great Britain's 156; but about 164 of our destroyers are out of commission, but the Navy Department states that they are constantly being oiled and kept in trim. However, by 1936 all of them will have reached the age limit for destroyers of 16 years. Those who oppose our building cruisers state that our destroyer strength offsets the British cruiser strength. That is not so, for the light cruisers of Great Britain, with a greater gun range and greater speed and accessible bases, according to Admiral Hughes, could with impunity destroy our destroyers.

Some opponents of increased naval strength in the United States set forth that the British require a greater navy because of their so-called isolation and their need of keeping the lanes of the sea open for food supplies. As a matter of fact, it will be quite easy for the British to assure their food supply from continental Europe by the use of mines and submarines. The British bill for imported foods yearly is \$2,500,000,000, while the United States imports food of the value of \$1,160,000,000. The British actually want the cruisers for the purpose of maintaining a blockade in case of war, so that neutral commerce can not make contact with the British foe. The British are more concerned with power to starve a hostile nation than they are with their own food supply, which can be guaranteed safe passage from nearly any port of continental Europe to Great Britain.

We have reached a point of economic rivalry with Great Britain that can only be protected by an adequate navy. In 1926 we led Great Britain in the ratio of 91 to 85 in the relative value of our foreign trade; and despite this, even though we adopted the 71-ship program suggested by the General Board of the Navy at the last session of Congress, the British would have 400,000 tons of cruisers to protect their trade five years before we had. We have a world trade of \$10,000,000,000 that we must protect. We have such focal positions to be guarded as the principal points of the Atlantic, the Pacific, and the Gulf coast, the Panama Canal Zone, and the Hawaiian zone.

We have the liberties of approximately 120,000,000 people to safeguard. It is a strange thing that Great Britain, with a lesser stake in the world than we, and a member of the League of Nations, insists on a fleet greater than ours. Surely, if the League of Nations means anything, there is no possibility of a British conflict with any member of the league, so that the only reason for the intensive British naval construction is the possibility of trouble with the United States. There should be disarmament in the world and particularly should the members of the League of Nations, in view of this cooperative agreement, be ready and willing to lead in disarmament. The recent Franco-British naval agreement, by which the cards were to be stacked against us at any future disarmament conference, shows a bias on the part of European nations against us, because by this secret accord the French were to agree with the British that the British design for light-cruiser strength was to be the paramount consideration of a future naval conference.

If the League of Nations does not warrant disarmament of its members, surely it does not relieve us of the duty to maintain a navy. The thesis of the league on disarmament is an incentive to naval construction. The league proposes at some future time to pass a disarmament resolution to the effect that the member nations shall not arm beyond their then strength. This naturally makes for extensive construction in the meanwhile, as each nation will want to approximate maximum power at the time of the resolution.

By the Kellogg treaties the abstraction, war, is renounced as an instrument of national policy, but, so far, none of the subscribing powers have destroyed a ton of steel naval vessels as an instrument of national policy.

After much shifting the administration seems to have found its bearings on the naval question and insists on building up the Navy to the 5-5-3 ratio. This is a simple duty under the preamble to the Constitution. When the 71 ship bill was offered public opinion reacted against it because it was felt that three-quarters of a billion dollars would be spent immediately on the Navy. That was due to a misunderstanding of congressional procedure. In Congress we can not appropriate for one single naval vessel unless the law provides, prior to the appropriation, that that vessel may be built. In other words, if the 71 ship bill were passed, then Congress could appropriate, from time to time, for the units provided for in the 71 ship legislation.

In 1916 Congress passed a bill for nine fleet submarines, and it was not until the last Congress that money was appropriated for plans for the last three of these, and we have not appropriated money for the destroyer leaders that were provided for by the 1916 act. If the naval appropriation bill is before the House, and a Member offers an amendment to add moneys for

the construction of one ship, and that one ship is not authorized by law, the amendment will be thrown out by the House on a point of order. I believe that the Senate should add to the 16-ship bill that is now pending before it an amendment to cover the 71 ships originally asked for by the Navy Department. That would give us a well-balanced program calling for an expenditure, over a period of years, within our means, for the building up of the Navy.

Such a policy would have a powerful effect on disarmament throughout the world. No nation is in a position to compete with us in the building of naval vessels. We are spending about \$6 per year on the national defense, while Great Britain is spending about \$16 a year and can not go much further. Lord Nelson said that—

there is no more powerful negotiator in the councils of Europe than a fleet of British war vessels.

There would be no more powerful negotiator toward real disarmament than the expressed determination of this country to build a large Navy.

A navy, though not fighting, is not wasted. As a matter of fact, our Navy does not cost us, per annum, 1 per cent of our Navy-protected trade. Building a navy is of great benefit to the industry of the country. We have fallen behind considerably in the construction of merchant ships. Since the Washington conference we have built 18 merchant ships of a total tonnage of 195,000 while Great Britain has built 882 approximating in tonnage 5,000,000 tons. As a result the shipbuilding industry is in a deplorable condition. Out of 60 shipways in five East coast yards, 50 were vacant until recently. Our navy yards are considerably undermanned due to lack of work. The material for ship construction is gathered from all over the United States, and so money appropriated for the Navy vessels goes to all parts of the country and helps to vitalize all industry. In case of emergency it would not be an easy thing to assemble the mechanical personnel needed to build ships, and those who believe that we could create a Navy in five days to meet an advancing British fleet have little insight into shipbuilding conditions. There are 61,600,000 tons of merchant tonnage in the world as a whole. Of this the United States has only 4,000,000 of tons suitable for competitive trade.

Over 46 per cent of the world's total new tonnage is British owned, and so a large part of our trade is carried in British ships, much to the hindrance of American industry. The building of a navy and a merchant marine under the Jones-White bill as part of the naval reserve will help to restore the shipbuilding industry. It has been testified to by naval authorities before congressional committees that we have not a first-class Navy. They have presented facts, as I have, to substantiate this conclusion. There is no use drawing on the imagination to bestir the American people to regain power on the seas. Those who believe we are living in an ideal world are relying too much on the imagination. In view of the world's history of 13 years of war to 1 year of peace, it is far easier to imagine war than peace. Armament does not mean war, unless it is inferior armament. As Frederick the Great said, "God fights on the side of the heaviest artillery." The Naval War College has demonstrated by six problems the inferiority of the American Battle Fleet. In three problems all our 18 ships were destroyed in a space of time running from 21 minutes to 45 minutes, while the British fleet was damaged at the highest point at 58 per cent and at the lowest point at 18 per cent. The result of these war games have been known to the administration for some time, and it is regrettable that the administration has waited until this late day to live up to its constitutional obligation in regard to the Navy. However, I believe that Congress should get back of the President and support the plan of the General Board of the Navy for the 71 ships. There is no reason why we should have a sea inferiority complex to Great Britain. Great Britain has built up its tremendous power due to its naval foresight. There was every reason in the world why we should perpetuate our great economic power by the same means. Our people want this Nation to have the dignity so markedly expressed by power on the sea. It gives us authority abroad and has a psychological reaction favorable to authority within our borders. May America be of maritime competency and let us so hope that politics does not assume the bridge and economy haul down the flag.

The Clerk read as follows:

No part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employees of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work, nor shall any part of the appropriations made in this act be available to



pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and that no part of the moneys appropriated and/or made available for the Naval Establishment for the fiscal year 1930 shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government.

Mr. TABER. Mr. Chairman, I make a point of order against the paragraph on the ground that it is legislation on an appropriation bill, and I call attention to the last part of the paragraph and to the decision of Chairman CHINDBLOM in 1926, at page 3283 of the RECORD, where the precise language in question was held to be legislation on an appropriation bill.

Mr. LA GUARDIA. Does the gentleman make the point of order on the first part of the paragraph only?

Mr. TABER. I make it on the whole paragraph. Part of the paragraph being out of order, the whole paragraph is not in order.

Mr. LA GUARDIA. The gentleman would not press it on the whole paragraph?

Mr. TABER. I would.

Mr. MILLER. Commencing at line 8?

Mr. TABER. Yes; commencing at line 8.

The CHAIRMAN. Does the gentleman from Idaho desire to be heard on the point of order?

Mr. FRENCH. Mr. Chairman, I rather think the point of order is well taken. We carried this language, as I have indicated, for the purposes set forth in my general remarks, and I would say further that it is language that has been put into the bill substantially in the same language for many years. However, I think it is subject to a point of order.

Mr. LA GUARDIA. Mr. Chairman, I desire to be heard for the purpose of not having the RECORD show that the entire paragraph is out of order. The stop-watch provision has been held to be in order.

Mr. TABER. It has been held in order and out of order.

Mr. LA GUARDIA. Yes; but the last decision reversed the ruling which held it out of order, and it has been put in appropriation bills repeatedly for years; and the rulings of the various chairmen are overwhelmingly in favor of declaring it in order.

Mr. TABER. But there is not any question about the last part of the paragraph being out of order.

Mr. LA GUARDIA. Well, I will not discuss that with the gentleman.

The CHAIRMAN (Mr. LUCE). It is not necessary for the Chair to dwell upon the provision in the first part of the paragraph, inasmuch as the last part of the paragraph is clearly out of order, and therefore, the Chair sustains the point of order to the entire paragraph.

Mr. LA GUARDIA. Mr. Chairman, I have an amendment. On page 46, after line 7, I offer the following as a new paragraph.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LA GUARDIA: Page 46, after line 7, insert as a new paragraph the following:

"No part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant."

Mr. LA GUARDIA. Mr. Chairman, this provision has been in the appropriation bill in the past and inasmuch as the gentleman from New York can not now make a point of order, I submit it to the committee.

Mr. TABER. Mr. Chairman, I desire to be heard in opposition to the amendment.

This is an amendment to promote inefficiency in our navy yards. This committee has shown its friendliness to the navy yards. It desires to put new machinery and new tools in the factories of the navy yards and give the workers in the navy yards a chance to be efficient and to produce work properly

and to make the repairs upon Government ships in a proper way.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. TABER. Not at this time.

This amendment is designed to prevent the full efficiency that might be realized under the guise of pretending to do something for the workers of the navy yards by putting in an amendment, which creates and promotes inefficiency.

The workers in the navy yards and their friends and their alleged friends should be in favor of every method which will produce efficiency and produce good results.

Any business establishment in the world would insist upon having the methods of efficiency that are maintained generally in the efficient plants throughout the country. We as managers, or those who legislate for the management of navy yards, ought to be in favor of efficiency in navy yards and give the workmen a chance to put the navy yards and the arsenals of the country on an efficient basis. We ought to provide all that sort of thing that promotes the welfare and opportunity of the workmen, and this amendment is against their interest.

Mr. LA GUARDIA. Mr. Chairman, this provision is nothing new. It has been in the appropriation bills for the Army and the Navy as long as I have been in Congress.

Mr. TABER. Will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. TABER. This amendment, notwithstanding it has been in the appropriation bill so long, has worked very much to the detriment and efficiency of the workmen.

Mr. LA GUARDIA. I heard the gentleman a few days ago take the floor and talk about the efficiency of the navy yards.

Mr. TABER. I beg the gentleman's pardon.

Mr. LA GUARDIA. Does the gentleman say that the navy yards of the country are inefficient?

Mr. TABER. That is my understanding.

Mr. LA GUARDIA. You are making a very generous appropriation for inefficient navy yards. I say that our navy yards are efficient, so efficient that they have the private yards worried a great deal. They fear that the navy yards will take the business away from them. I do not see any reason for my colleagues getting unduly excited about the amendment. It is nothing new. It has been in these appropriation bills as long as I can remember. I do not believe that the chairman of the subcommittee will take the floor in opposition to it. I will not take any more of the time of the committee, because it has been passed upon so many times.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. LA GUARDIA].

The question was taken; and on a division there were 27 ayes and 40 noes.

Mr. LA GUARDIA. Mr. Chairman, I ask for tellers.

The CHAIRMAN. The gentleman from New York demands tellers. All in favor of taking the vote by tellers will rise. [After counting.] Fourteen Members have arisen; not a sufficient number.

Mr. LETTS. Mr. Chairman, I make the point of order that no quorum is present.

The CHAIRMAN. The gentleman from Iowa makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and four Members present, a quorum.

Mr. MILLER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and members of the committee, I paid particular attention to the very able address of the gentleman from Idaho delivered one week ago to-day in opening out the provisions of this bill. The gentleman always makes a splendid presentation.

I not only heard his address but I have read it and reread it since its publication in order that any points or parts that I may have missed or gotten a wrong interpretation of the language used at the time are either supplied or made clear by the published text.

On Saturday last I heard the address of the gentleman from Massachusetts [Mr. WIGGLESWORTH] and likewise I have carefully read and reread the published text, as the same appears in the RECORD.

In the discussion of the Government policy to build ships at the navy yard, the matter of the comparative cost of vessels so constructed with the cost of vessels built in private yards has been presented especially by the gentleman from Massachusetts [Mr. WIGGLESWORTH]. The gentleman represents the congressional district within which is located the Fore River plant of the Bethlehem Shipbuilding Corporation. That is his good fortune. The Bethlehem Corporation is a very substantial as well as a very creditable concern. It is striving for business the same as every other private shipbuilding concern.

It depreciates navy yard competition and in this depreciation it undertakes to put the navy yards out of business as construction plants. Its hostility to the Dallinger amendment is prompted by a purely selfish interest. A long, strained, and somewhat overdrawn statement from the National Council of American Shipbuilders is inserted in the RECORD concerning the construction of cruisers in Government navy yards. For one, I do not care to take any figures on comparative costs in Government and private yards from this grossly hostile source. I prefer to at least take my figures from a fair and disinterested source, a source free from any selfish interest.

I am frank to say I represent a district within which is a Government navy yard, construction yard, repair yard, the home yard of the Pacific Battleship Fleet. I am not blind nor deaf to private interests, but I do put the national defense—the public welfare—first and above the interest of any private concern in America.

Of course, I want to see the Puget Sound yard kept in a healthy condition. I want to see it kept as a going concern, as a factor in the national defense just the same as I want to see every other Government yard kept in good condition as a similar factor. For that matter, I would like most well to see all the private shipbuilding yards in a prosperous condition, but, unfortunately, there is not enough Government and private construction to supply the necessary work. The Washington conference for the reduction of naval armaments had the definite and only purpose in view reducing the amount of naval construction of major vessels. It did this purposely and deliberately as a matter of national economy. The enormous inflation of commercial construction during the war left not only this country but the entire world with a huge surplus of commercial tonnage. Both of these conditions have operated to reduce new construction, hence the decline of shipbuilding, not only naval but commercial, and not only in our country but throughout the world. Great Britain has suffered far greater than has this country. Establishments on the Clyde, the great world center of ship construction, of all types of vessels, which before and during the war was ablaze with activity are now suffering liquidation and bankruptcy. World conditions have brought this about in Scotland. The same condition prevails here and throughout the world. I appreciate the importance of the private shipbuilding industry the same as do all of us as an auxiliary source to our supply of naval vessels, but notwithstanding this importance it is far more important in my judgment to keep our navy yards in a healthy condition. To keep a navy yard in a healthy condition means constant and continuous work for the men. If a navy yard has to depend exclusively on repair work as it comes in on the schedule when delays and other uncertainties are present, there is a constant

laying off and taking on of men. This leads to the better men, the better grade of mechanics, going elsewhere where there is constant employment.

Ship construction at navy yards has for one of its purposes a reservoir, so to speak, for employment during the lean repair periods. By this I do not mean that new construction is considered as an "odd job," but I do mean that the crews on construction work are frequently increased or decreased dependent upon the regular or irregular flow of repair work.

The second principle, and probably as important a factor as the one just suggested which lead the Government to install construction equipment in navy yards, is that they may thus become a competitor and thereby a stabilizing factor in the price to be paid for the construction of vessels of war. This latter is of the utmost importance and it is to get rid of this "stabilizing factor" that private-yard interests are now bending every energy to kill off the Government yards, or at least to minimize their activities. Private yards would then be without competition which we all know, in the light of common experience, would not tend to bring lower cost of production as far as Government work is concerned. Monopoly control does not tend to reduce the cost of production in any line or anywhere.

Viewing the matter, therefore, from the standpoint of selfish interest, I am not surprised at the concerted assault on navy-yard construction, and especially on the Dallinger amendment, by this high-sounding and especially imposing National Council of American Shipbuilders.

Any organization that has for its only purpose the putting of a competitor out of business can not make much of an impression on the American Congress. And think of doing this by law, a law that you and I will have to vote for. The policy of the Government in installing construction equipment in its navy yards was not done without certain purposes in view. It was not done accidentally or incidentally. It was not done from any hostility toward private enterprise. It was done with the definite purposes in view and one of these was to keep private yards within the range of reason in prices. The margin of profit is well illustrated in a comparison of the respective accepted bids of private yards and navy-yard estimates in the case of the six 10,000-ton cruisers allocated June 13, 1927. The following communication from the Secretary of the Navy gives us an insight on this highly interesting phase of the matter:

JANUARY 5, 1929.

MY DEAR CONGRESSMAN MILLER: Replying to your letter December 31, 1928, the construction periods are, as stated in your letter, 36 months for light cruisers Nos. 26, 27, and 30, and 45 months for Nos. 28, 29, and 31.

The other information requested is contained in the following statement:

Number	Name	Builder	Contract price or estimate	Date of contract or order	Contract dates of completion	Percentage of completion Dec. 1, 1928
26	Northampton	Bethlehem Shipbuilding Corporation (Fore River plant)	\$10,675,000	June 13, 1927	June 13, 1930	39.9
27	Chester	American Brown-Boveri El. Corporation	10,815,000	do.	do.	39.2
28		Puget Sound Navy Yard	18,614,250	do.	Mar. 13, 1931	16.0
29	Chicago	Mare Island Navy Yard	17,759,065	do.	do.	12.0
30	Houston	Newport News Shipbuilding & Dry Dock Co.	10,567,000	do.	June 13, 1930	26.4
31	Augusta	do.	10,567,000	do.	Mar. 13, 1931	26.2

<sup>1</sup> Includes cost of plans furnished and not included in yard estimates.

<sup>2</sup> Beginning of construction period.

Respectfully,

HON. JOHN F. MILLER, M. C.,  
United States House of Representatives, Washington, D. C.

CURTIS D. WILBUR.

What would have been the figures of the private plants if this competition had not existed; that is, what would have been the figures if navy yards had been silenced? You, my colleagues, can form your own estimate just as well as I can form mine. To put navy yards out of competition is the whole plan and purpose of this National Council of American Shipbuilders. The Dallinger amendment divides the cruiser-construction program into halves, one half going to navy yards and the other half to private interests. To-day there are more navy yards equipped for construction work and competent to handle such work than there are private yards in America equipped for construction and competent to handle such class of work. The navy yards outnumber the private yards 2 to 1 if all the private yards competed on the June 13, 1927, bids. If the private yards did not all compete, one of two conditions must have prevailed, namely, the noncompeting yards either did not want the work or else they stayed out of competition for some reason not disclosed on the face of things; and I

can not imagine these private yards not wanting the work in the face of the statement of the National Council of American Shipbuilders.

Either way one looks at the picture he gets the same perspective. It takes a rather bold organization to circularize the American people in favor of a monopoly of which such organization or individual members thereof are to be the beneficiary.

Let us examine the above figures; let us see the results. It will not take us long to see where this selfish interest came in and to see who gets the profit. In the case of the June 3, 1927, bid the six cruisers are exactly alike, as near alike as pins. Only one set of plans were drawn for all six of these vessels, and these plans were drawn by the architects, engineers, statisticians, estimators, actuaries, and draftsmen coming from private yards. My information is that the Government pays this organization of architects, engineers, statisticians, estimators, draftsmen, and so forth, near \$400,000 for the two sets of



plans—duplicates—one for the Mare Island Navy Yard and one for the Puget Sound yard. Two hundred thousand dollars is thus added to the estimates of each of the navy yards.

Now, as to the figures of the successful bids and estimates, respectively, of the June 13, 1927, six cruisers.

The bid of the Bethlehem Shipbuilding Corporation, Fore River plant, Quincy, Mass., was the sum of \$10,675,000 for one vessel, which is \$2,061,750 higher than the estimate of the Puget Sound yard and \$2,915,935 higher than the estimate of the Mare Island yard. That is a pretty stiff margin to the private yard.

The bid of the American Brown-Boveri Electric Corporation, of Camden, N. J., was the sum of \$10,815,000 for a single vessel, which is exactly \$3,055,935 higher than the estimate of the Mare Island (Calif.) Navy Yard for the construction of the same identical vessel and is \$2,200,750 higher than the estimate of the Puget Sound Navy Yard, another pretty fat margin in favor of the private contractor.

The bid of the Newport News (Va.) Shipbuilding & Dry Dock Co. was \$10,567,000 each for two vessels, which is \$2,807,935 higher than the estimate of the Mare Island Navy Yard for one vessel and \$1,952,750 higher than the estimate of the Puget Sound yard. Here is still another appetizing margin in favor of private interests, and it is well to keep in mind that this concern received awards for two vessels.

These figures give the average cost of \$10,656,000 for private-yard construction as compared with \$8,186,657 for navy-yard construction, a difference of \$2,469,343 for each vessel in favor of the Government-yard construction. Or, in other words, the Government could add \$2,000,000 to each of these vessels allocated to Government yards and then be well under the lowest bid from any private yard. This tells the story, the picture is complete, the motive of the National Council of American Shipbuilding stands out in all its boldness.

Mr. UPDIKE. Mr. Chairman, will the gentleman yield?

Mr. MILLER. Yes.

Mr. UPDIKE. I would like to know if the gentleman has any figures of how many navy yards are equipped to build these vessels?

Mr. MILLER. Five navy yards on the Atlantic and two on the Pacific.

Mr. STOBBS. Is it not true that the prices that the gentleman has quoted of what ships can be built at in Government yards are based entirely upon estimates?

Mr. MILLER. Yes.

Mr. STOBBS. Whereas the price quoted on the private yards is based on actual bids on contracts?

Mr. MILLER. That is true. In the navy yards the price is based on estimates, and in the private yards it is based on the bids.

Mr. STOBBS. And that is an unfair comparison to make.

Mr. MILLER. The gentleman probably has not fully considered the matter of construction.

Mr. FRENCH. Mr. Chairman, will the gentleman yield?

Mr. MILLER. Yes.

Mr. FRENCH. Does the gentleman know the original estimate for the construction of the submarine tender *Holland* in the Bremerton Navy Yard?

Mr. MILLER. No.

Mr. FRENCH. Let me remind him that it was about \$1,900,000, and that it cost the Government around \$5,000,000 in that particular yard to construct the ship—nearly three times the original estimates.

Mr. MILLER. And I also know that on seven different occasions the Government changed the plans of that very vessel when it was practically completed, and we had to tear it down and build it up again each time the Navy Department changed its plans. That is the reason for the cost of that vessel. Give us a fair deal and we will show you that the navy yard can produce our war vessels more cheaply than the private yard in America. [Applause.] All we want is a fair deal.

Mr. FRENCH. Does the gentleman also have in mind bills that have been brought in rather regularly for increasing the cost touching various ships that have been constructed in navy yards, submarines and others?

Mr. MILLER. Oh, yes. The gentleman ought not to think that I am deaf to that. I am on the committee that brings those bills in.

Mr. FRENCH. The point is this: That the estimates submitted by the navy yards are estimates that the Navy Department is not bound by, and, according to the gentleman's own admission, they do not prevent the modification and the increase of cost to the extent of millions of dollars, whereas when a private contractor makes the bid he is held under his bond to come within the amount for which he has undertaken to do the work.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. MILLER. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER. Mr. Chairman, I am aware that vessels built in the United States navy yards have run over the estimates. No one can be in Congress two years without knowing that, much less can he be on the Naval Affairs Committee, where I am, which committee brings in bills to increase the cost, but we can bring in a bill to increase the cost of each of these vessels by \$1,000,000 and then still be a million and a half dollars below the lowest bid of the private bidder.

Mr. STOBBS. Will the gentleman yield?

Mr. MILLER. I will.

Mr. STOBBS. The gentleman said that this bunch of New England shipbuilders were the ones behind the movement. Is it not true the United States Shipping Board, in a formal resolution passed in December, recommended these ships to be built in private yards rather than in Government yards?

Mr. MILLER. I do not know what they recommended, but I have a very distinct remembrance of this Congress voting over \$4,500,000 for the Shipping Board to build a dry dock at the Norfolk Navy Yard.

Mr. STOBBS. Is it true or not?

Mr. MILLER. I do not know, and I do not care.

Mr. PERKINS. Mr. Chairman, will the gentleman yield there?

Mr. MILLER. Yes.

Mr. PERKINS. I am sure most of us would want to see our navy yards going. But is it true that when overhead is charged the net overhead constitutes a very large percentage of the cost of construction?

Mr. MILLER. I do not know about that, but I do know that the Navy Department has added to these estimates for the navy yards \$219,000 each for plans. These are formulated by the private interests of this country.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. LETTS. Mr. Chairman, I offer an amendment.

Mr. FRENCH. Mr. Chairman, I just want to take time for two or three minutes to direct the attention of the House to the situation involving work done by Government navy yards and by private yards. The gentleman from Washington [Mr. MILLER], when I directed his attention to the construction of the submarine *Holland* in the Bremerton Navy Yard, indicated that the amazing increase in the cost of construction from \$1,900,000, approximately, to around \$5,000,000 must have been due to modifications and changes. Surely something must be wrong, if it is true, that in the construction of so simple a vessel as a tender the cost is nearly three times the original estimate of the yard undertaking the construction.

More than that, the gentleman has indicated several comparative figures such as those pertaining to cruisers of more recent date. Take, for instance, the *Salt Lake City* and the *Pensacola*. I think he referred to both of them. The *Salt Lake City* was launched just a few weeks ago. The cost of that ship in the Brown-Bovari yards will be \$8,697,004.

Mr. MILLER. No estimate was made.

Mr. FRENCH. That is the trouble with the gentleman's whole statement. He furnishes us figures respecting an uncompleted craft in a Government navy yard, and then gives us figures respecting an uncompleted craft in a private yard, and tries to fit them together.

Mr. MILLER. The gentleman knows that the contract was given to Cramp & Sons for the hull, and that same firm had bid for the engines of the *Pensacola* and the *Salt Lake City*. That is not included.

Mr. FRENCH. The figures that I shall use will be comparable figures. The gentleman refers to the cost of the *Pensacola* in a Government navy yard, and the original figure he gave was \$2,000,000 plus under the figure indicated for the *Salt Lake City*.

Mr. MILLER. Let the gentleman give the figures.

Mr. FRENCH. I will give the figures. The original figures were \$7,799,499, but this estimate did not include the main engines and such other parts of the machinery as were being purchased by contract. The revised estimate of the New York Navy Yard was \$9,788,462. In other words, in dealing with a question of this kind we as a body are not in a position to pass upon it at all, for we are not in position to study in detail the total costs, including, as they must, a multitude of items. It ought to be turned over to the responsible officers of a great department of our Government, where the very facts that are in conflict can be brought side by side, where the

figures touching the different elements can be thrown into contrast, where all the factors may be considered, and where the department can have some discretion in saying whether or not it will avail itself of rightful competition between Government navy yards on the one hand and private industry on the other. For my part I want to say, as I said with regard to the helium plant in Texas, I am for the private navy yards to the extent that it is possible and consistent with Government economy and the Treasury of the United States. [Applause.]

Mr. LETTS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LETTS: Page 46, after line 7, insert a new paragraph, as follows:

"No part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work."

Mr. FRENCH. Mr. Chairman, I make the point of order that the House has just voted upon that amendment.

Mr. LAGUARDIA. Let us have the entire amendment read.

The CHAIRMAN. Let the whole of it be read, so as to determine whether any change has been made or not.

The Clerk resumed the reading of the amendment, as follows:

"nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and that no part of the moneys herein appropriated shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or requirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government."

Mr. TABER. Mr. Chairman, I make a point of order against the amendment. That is the same amendment, with a very small change, against which I made the point of order before, and the change does not affect its character as legislation on an appropriation bill.

Mr. LAGUARDIA. The gentleman from Iowa has stricken out the objectionable part which made the amendment out of order.

Mr. TABER. Oh, no.

The CHAIRMAN. The Chair will call the attention of the gentleman to the fact that he had previously ruled that the last part of the paragraph in question was out of order, and that therefore the whole paragraph went out.

The gentleman has submitted the last part of the paragraph once more.

Mr. LETTS. May I call the Chair's attention to the fact that the amendment which I now offer is different than the one which was ruled on?

The CHAIRMAN. The amendment still contains the same obnoxious provision which the Chair called attention to when previously offered.

Mr. LETTS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LETTS. I did not understand the ground upon which the Chair ruled with respect to the point of order.

The CHAIRMAN. In the last few lines of the paragraph appear the words—

and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production—

And so forth. That provision, by reason of the words "in the judgment of the Secretary of the Navy," puts a duty upon the Secretary of the Navy. Therefore it is out of order and the Chair sustains the point of order.

Mr. DALLINGER. Is the Chair aware in making that ruling that there is a general statute which contains this exact language?

The CHAIRMAN. Will the gentleman produce that statute?

Mr. DALLINGER. I have not the statute here, but we passed a general law a number of years ago containing this exact language, and this is simply repeating the language of the general law, which has never been repealed.

Mr. LETTS. And, if I may add, the author of that law was the gentleman from Connecticut [Mr. TILSON], and that law requires this precise thing.

The CHAIRMAN. The point now hinges upon the production of the statute. The statute itself must be brought to the attention of the Chair before, under the point of order, he can permit the amendment to be voted upon. Lacking that, the Chair sustains the point of order.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment. On page 46, after line 7, I offer the following as a new paragraph.

The CHAIRMAN. The gentleman from New York offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 46, after line 7, insert a new paragraph, as follows:

"No part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof; nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant."

Mr. TABER. Mr. Chairman, I make a point of order against the amendment. It has already been passed on, and such changes as have been made are only a subterfuge, and that is patent on its face.

Mr. LAGUARDIA. I strike out an entire line. I strike out all of line 15 and all of line 16.

The CHAIRMAN. The Chair overrules the point of order.

Mr. LAGUARDIA. Mr. Chairman, just a few moments ago the committee, apparently under a misapprehension, voted down an amendment, which was only a proviso, carried in the appropriation bill for the last 15 or 20 years—at least as long as I have been in Congress. Now, the real purpose of this proviso, as well known to the members of the committee, is this: If we are going to establish a racing, slave system in our navy yards, let the gentleman from New York say so, and we will know what we are voting for. Let us be perfectly frank about this. In one way or another some of the members of the Committee on Appropriations are trying, first, to put the navy yards out of business; and second, if they can not put them out of business, then to destroy the morale of the personnel.

Mr. SCHAFER. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SCHAFER. Those who want to sustain the Naval Affairs Appropriation Committee should vote for the gentleman's amendment, because it merely puts into the bill language which was stricken out on a point of order and which language was reported by that committee.

Mr. LAGUARDIA. Why, of course. Now, I just say to my friends of the Committee on Appropriations, if you want to get along nicely and finish this bill, be reasonable. If you do not, we are going to invoke all the rules of the House, and you may have tough going. I urge the adoption of my amendment.

Mr. TABER. Mr. Chairman, I rise in opposition to the gentleman's amendment. I am surprised, after what has been said here to-day, that the gentleman from New York should suggest that this committee, or that I, in opposing this amendment, are trying to establish a slave system. We are simply trying to give the navy-yard workers a chance to be on the square with the Government and to do a fair, honest day's work.

Mr. SCHAFER. Will the gentleman yield?

Mr. TABER. Certainly.

Mr. SCHAFER. Why did the committee, of which the gentleman is a member, report the bill with the identical language contained in the pending amendment?

Mr. TABER. I have always been opposed to that language in the committee and everywhere else, whenever there was a chance to oppose it, because I know that language is against the interests of the men who work in the navy yards. It tends to create inefficiency and it keeps them from getting the work they might get if their work was done right.

Mr. LEAVITT. Will the gentleman yield?

Mr. TABER. Yes.

Mr. LEAVITT. If it is not in the interest of the workers in the navy yards, why are they asking to have it put in the bill?

Mr. TABER. Because there is a certain element of agitators who go around and tell them that if they do not do a fair day's work but loaf on the job their jobs will last longer. That is the meat of it.



If the men who are so eloquent here would urge the workers to produce and to keep the costs of things manufactured in navy yards down where they belong and to do fairly by the Government, then we could have a better spirit in the navy yards and we would not have to contend with such things as this.

Mr. LETTS. Will the gentleman yield?

Mr. TABER. Yes.

Mr. LETTS. The gentleman has expressed his belief that this provision is against the welfare of the men in these shops.

Mr. TABER. Yes; it is an absolute certainty.

Mr. LETTS. Does the gentleman believe we ought to resort to the Taylor system in these places?

Mr. TABER. I do not believe it hurts anybody to have tests made as to how work can be done efficiently. I believe it is in the interest of the workingman. The reason the workingman is better off in this country than he is in the old countries is because we have adopted modern methods of production and we are able to produce more and the workingman has a better chance and gets more pay.

Mr. DALLINGER. Will the gentleman yield there?

Mr. TABER. Certainly.

Mr. DALLINGER. Does the gentleman think he could perform his duties as a Member of Congress if, from the time he started in the morning until he finished at night, he had a man standing over him with a stop watch?

Mr. TABER. Sure; but there is no such thing proposed.

Mr. DALLINGER. The gentleman would not tolerate it for a moment.

Mr. TABER. There is no such proposal in here and the gentleman is rather putting up a straw man to shoot at.

Mr. DALLINGER. Oh, no.

Mr. TABER. Because the gentleman knows there never has been any practice anywhere in a Government factory of holding a stop watch on every workman all day long. That is the most ridiculous thing that could be brought up here.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. TABER. Yes.

Mr. LaGUARDIA. The gentleman knows that this same proviso is in the Army appropriation bill and in the Post Office appropriation bill.

Mr. TABER. But it is bad, and when a thing is bad it ought to be thrown out.

Mr. DOWELL. And it has been in this bill at every session and the committee has come in here each time to have us put it in the bill again, just as we are going to put it in the bill to-day. [Applause.]

Mr. TABER. But it is bad just the same and is against the interests of the workingman.

Mr. BLACK of New York. Mr. Chairman, I want to be heard in support of the amendment.

The gentleman from New York—

Mr. LaGUARDIA. Which one?

Mr. BLACK of New York. The "agitated gentleman from New York" [Mr. TABER] has given a splendid example of a worker who does not need an agitator to make him work. I want to say to the gentleman from New York [Mr. TABER] that he is not as well acquainted as he thinks with the work of the men in the navy yards. The commandants of the navy yards have uniformly given credit to the civilian personnel of the navy yards for their splendid and efficient work, and they perform year in and year out without a stop watch, giving this same splendid type of work.

Now, what has happened? The men in the navy yards of this country are men affiliated with the American Federation of Labor. They work under an 8-hour day. They are Americans. The men outside of the navy yards who are getting the work on American ship construction when the work is not awarded to the navy yards are not necessarily Americans. They are not affiliated with the American Federation of Labor. They are not working under an 8-hour day. They are not working with all the safeguards that come from membership in the American Federation of Labor.

This proposition of the stop watch is intended to tear down the efficiency of the American workingman. It is a proposition to humiliate the American workingman. It is in the interest of the foreign workingman and I am surprised that the gentleman from New York is back of it.

There has been no complaint about the work of the men in the navy yards by those who know something about it. There has been no upset about it at all.

Mr. MILLER. Will the gentleman yield for a short question?

Mr. BLACK of New York. Surely.

Mr. MILLER. Inefficient and indolent workmen in navy yards are weeded out immediately.

Mr. BLACK of New York. Yes; they are not permitted to last there.

In addition to the inspiration for service that comes from membership in the American Federation of Labor, they have constantly with them the supervisory forces of the Navy Department. One of the difficulties with the navy-yard situation with respect to work is that there has been a tremendous overhead charged to navy-yard work due to the presence of gold braid in the navy yards.

There is no sense in this stop-watch proposition. It is unfair to American labor, and I will tell the gentleman from New York that not only will the men in the navy yards resent this stop-watch proposition but every decent, honorable American workman throughout the country, no matter what his trade or craft may be, will resent it.

If you want to do something for American labor, make the Navy Department pay attention to the statute that requires the Navy Department to give the men in the navy yards the prevailing rate of wages. Year in and year out the men in the yards present to the wage board of the Navy Department data showing the wages that are paid in the vicinity for similar type of work and year in and year out the Navy Department ignores this data just as it ignores the desire of Congress in awarding construction work, and if the gentleman from New York would get agitated and wave his arms in behalf of the American workman on the wage proposition he would accomplish something for American labor and for American industry.

This stop-watch proposition is nonsense. [Applause.]

Mr. LETTS. Mr. Chairman, I move to strike out the last word. I wish to call attention to the particular situation that has arisen to-day, and which is somewhat anomalous. Here is language carefully drawn by a powerful committee of this House presented for consideration, and immediately upon being read it is assailed by a member of that committee on a point of order, whereupon the chairman of the committee has admitted that it is subject to a point of order. The gentleman from New York [Mr. TABER] accuses some one of setting up a straw man and knocking him over. What has this legislative committee done? They bring in this provision and a point of order, a weapon with which to slay it, and the chairman of the committee gracefully assents that there had been an error and that the provision ought to go out. Here is language carried in the law for a number of years. It has been held in order by a great many distinguished chairmen of the House. I know that the distinguished chairman who occupies the chair to-day is familiar with the decisions, and I realize that he has ruled with a full knowledge and understanding of the precedents, but his ruling was not applied to this language, and this House and the Congress of the United States have for a number of years approved the proposition. It is in harmony with economic practice, it is humane in purpose, it is essential to the independent life of the men who work in the Government arsenals and workshops. I feel that the House would take a backward step in not going along with labor in the improvement of working conditions and in the maintenance of all of the rights labor has gained in the past by persistent struggle, step by step, through all the years.

Mr. MILLER. Will the gentleman yield?

Mr. LETTS. I yield.

Mr. MILLER. Is it not a fact that a stop watch will destroy the morale of any workman?

Mr. LETTS. That seems to me to be apparent. We must not destroy the souls of men who work; we should not place them in a situation where the hopes and aspirations of life are lessened. We must encourage them as men entitled to equal and full rights with men who occupy other stations in life.

It will be a great mistake if this House refuses to carry in this bill the language which we now ask, and which has been approved by many Congresses before. May I ask the membership of the House to exercise due discretion and a sound judgment in harmony with the heartbeats of those who will benefit, the men who work in the arsenals and workshops of the United States. [Applause.]

Mr. YON. Mr. Chairman, I move to strike out the last two words. I had intended to make a few remarks in the discussion of this bill, and particularly as it affects the welfare of the Navy Department of the United States. You have observed newspaper accounts of some of the experiments that are being made off Key West in Florida waters with the Navy's submarines in order to demonstrate the possibility of escape from a sunken submarine. This brings to your mind and will remind you that the Gulf coast country, especially the Florida coastal waters, are particularly fitted and particularly adapted to the experiments and the maneuvers that are to be carried on by the Navy Department as to the usefulness of the submarine.

You remember the S-4 and the tragedy that occurred last year, and the pall it cast over the Nation by that accident, and

the great effort that was made in trying to save the lives of the men marooned in the icy waters in that submarine, and the many weeks spent in bringing the bodies to the surface and the condition of the bodies when recovered. You remember the experiments later of raising this ill-fated ship with appliances attached for raising submarines.

I expected and really had in mind to introduce an amendment to the bill under consideration making it possible, and which I hope Members of the House will consider in formulating a bill in the future, that they will consider the use of the Gulf waters off Florida, that are the warm waters of the Gulf of Mexico, that great body of water, in making its experiments. The commerce of the United States is fast taking place in these waters now. Remember that our Navy is being maintained to defend our commercial lanes and to carry the flag of this Nation to those lanes most adaptable to the commerce of the world, as it is carried on with the nations of the world by us.

I think, gentleman, that you should consider this in your future deliberations in respect to the requirements of the Navy. We are appropriating millions of dollars every year and we desire to build up a magnificent Navy which will be a credit to a great Nation. In doing so, however, I think we should take into consideration the adaptability of certain waters of the country for naval maneuvers. I am very thankful to the committee for the consideration that has for years been given to a naval establishment in my district at Pensacola. I have been told by the commandant there and officers of the naval air station there that it is one of the finest and best situated from the standpoint of climatic conditions and the hours of sunshine during the year, and landing conditions, of all of the naval air stations in the whole United States, my friends of southern California to the contrary notwithstanding. [Laughter and applause.] If it were not for the wonderful climate that we have in Florida, does anybody think that President-elect Hoover would be there, or that Mr. Ford or Mr. Edison or any of the other great men of America who are there to-day would be there? [Applause.] If it is good for the men and women of America to go there and enjoy the balmy sunshine that God entitles to every free man, will it not also be good for a great establishment of this nation which is being paid for by the taxpayers of America to make use of these natural conditions? [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 70, noes 9.

So the amendment was agreed to.

Mr. ARENTZ. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ARENTZ, as a new paragraph, to follow the amendment offered by Mr. LAGUARDIA:

"The Secretary of the Navy is authorized and directed to have an investigation made of the relative cost of construction of naval vessels in navy yards and in privately owned shipyards, and make a report to Congress by December, 1929, of such ships constructed during the past 10 years."

Mr. FRENCH. Mr. Chairman, I make the point of order that the proposed amendment is legislation. That is a matter that ought to be considered by the Committee on Naval Affairs. Since the watchdog of that committee is not present I shall make the point of order against the amendment.

Mr. ARENTZ. Mr. Chairman, will the gentleman withhold the point of order for a moment?

Mr. FRENCH. I shall be very glad to withhold my point of order.

Mr. ARENTZ. Mr. Chairman, since I came here in 1921, every year we have had a naval bill under consideration and every year we have had discussion between either two men on this side or men on both sides as to whether or not the navy yards of America can build ships as cheaply as they can be built in privately owned yards. Let us find that out once for all and do away with this discussion every year.

Mr. SCHAFFER. Mr. Chairman, will the gentleman yield?

Mr. ARENTZ. Yes.

Mr. SCHAFFER. Does the gentleman not think that he ought to add to his amendment that the Secretary should also transmit information which would enable Congress to know how many naval officers who have been employed in the navy yards have obtained lucrative positions with private shipbuilding concerns after their retirement?

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. ARENTZ. Yes.

The CHAIRMAN. The matter before the House is the point of order.

Mr. MILLER. I think the gentleman from Nevada has yielded to me.

The CHAIRMAN. The gentleman from Nevada is addressing the Chair only for the purpose of illuminating the mind of the Chair as to the validity of his amendment. [Laughter.] The Chair sustains the point of order.

Mr. ARENTZ. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment may be withdrawn.

There was no objection.

The Clerk concluded the reading of the bill.

Mr. FRENCH. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LUCE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16714, the naval appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. FRENCH. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. FRENCH. Mr. Speaker, I demand a separate vote on the amendment whereby the item for a dock at Charleston, S. C., was put into the bill.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. WINGO. Mr. Speaker, I make the point of order that there is no quorum present. I withhold it for the present.

The SPEAKER. If there is no other demand for a separate vote, the Chair will put the question on the other amendments in gross.

The question was taken, and the amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote was demanded.

The Clerk read as follows:

Page 32, line 23, after the figures "\$36,000" insert the following: "Extension of dry dock, \$300,000; in all, \$336,000."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken.

The SPEAKER. In the opinion of the Chair, the yeas have it. On a division (demanded by Mr. McMILLAN) there were—ayes 81, noes 53.

Mr. FRENCH. Mr. Speaker, I object to the vote on the ground that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and forty-five Members are present, not a quorum. The Clerk will call the roll.

The question was taken; and there were—yeas 155, nays 120, answered "present" 1, not voting 152, as follows:

[Roll No. 23]

YEAS—155

Abernethy	Cox	Hastings	McMillan
Allgood	Crisp	Hill, Ala.	McReynolds
Almon	Dallinger	Hill, Wash.	Major, Ill.
Andresen	Davey	Houston, Del.	Major, Mo.
Arentz	Davis	Howard, Nebr.	Martin, La.
Arnold	Deal	Howard, Okla.	Mead
Aswell	DeRouen	Huddleston	Michener
Auf der Heide	Dickinson, Mo.	Hudspeth	Miller
Bachmann	Dominick	Hull, Morton D.	Milligan
Beedy	Doughton	Irwin	Montague
Bell	Douglass, Mass.	Jeffers	Moore, Ky.
Black, Tex.	Drane	Johnson, Okla.	Morehead
Blanton	Drewry	Johnson, Tex.	Morrow
Bloom	Driver	Jones	Nelson, Mo.
Box	Edwards	Kelly	Norton, Nebr.
Brand, Ga.	England	Kemp	O'Brien
Briggs	Eslick	Kendall	O'Connor, La.
Britten	Fisher	Kent	Oldfield
Browning	Fitzgerald, Roy G.	Kerr	Oliver, Ala.
Buckbee	Fulmer	Kincheloe	Patterson
Bulwinkle	Furrow	Langley	Peery
Busby	Gambrill	Lanham	Quin
Canfield	Garber	Lankford	Ragon
Cannon	Gardner, Ind.	Larsen	Rainey
Carrs	Gasque	Lea	Rankin
Cartwright	Gregory	Leavitt	Romjue
Chapman	Green	Letts	Rutherford
Cochran, Mo.	Greenwood	Lindsay	Sabath
Collier	Griffin	Lowrey	Sanders, Tex.
Cooper, Wis.	Guyer	Lyons	Sandlin
Corning	Hare	McDuffie	Schafer
	Harrison	McKeown	Schneider



Sears, Fla.  
Sinclair  
Spearing  
Sproul, Ill.  
Sproul, Kans.  
Stegall  
Steele

Sumners, Tex.  
Swank  
Tarver  
Thompson  
Vincent, Mich.  
Vinson, Ga.  
Vinson, Ky.

## NAYS—120

Ackerman  
Adkins  
Allen  
Ayres  
Bacharach  
Barbour  
Beck, Wls.  
Beers  
Berger  
Black, N. Y.  
Bohn  
Brigham  
Browne  
Buchanan  
Burdick  
Burtness  
Chalmers  
Chase  
Christopherson  
Clague  
Clancy  
Cochran, Pa.  
Cole, Iowa  
Collins  
Colton  
Cramton  
Cresser  
Crowther  
Culkin  
Darrow

Dickinson, Iowa  
Dowell  
Elliott  
Englebright  
Fitzgerald, W. T.  
Fort  
Free  
Freeman  
French  
Gibson  
Glynn  
Goodwin  
Hadley  
Hale  
Hall, Ill.  
Hall, Ind.  
Hancock  
Hardy  
Haugen  
Hickey  
Hoch  
Hoffman  
Holaday  
Hooper  
Hope  
Hughes  
Jenkins  
Johnson, Ind.  
Kading  
Kahn

Ketcham  
Kiess  
Knutson  
Korell  
LaGuardia  
Lampert  
Leatherwood  
Luca  
McCormack  
McFadden  
McLeod  
Magrady  
Mapes  
Menges  
Merritt  
Michaelson  
Monast  
Moore, Ohio  
Morgan  
Nelson, Me.  
Newton  
Neidringhaus  
Parker  
Peavey  
Perkins  
Porter  
Pratt  
Purnell  
Ramsayer  
Ransley

Wilson, La.  
Wingo  
Wolfenden  
Wright  
Wurzbach  
Yon  
  
Reid, Ill.  
Robinson, Iowa  
Rogers  
Sanders, N. Y.  
Seger  
Selvig  
Simmons  
Smith  
Snell  
Speaks  
Stalker  
Stobbs  
Strong, Kans.  
Summers, Wash.  
Swick  
Taber  
Taylor, Colo.  
Temple  
Thurston  
Tilson  
Timberlake  
Wainwright  
Wason  
Watson  
Wigglesworth  
Williams, Ill.  
Williamson  
Wolverton  
Woodruff  
Wyant

## ANSWERED "PRESENT"—1

Garrett, Tenn.

## NOT VOTING—152

Aldrich  
Andrew  
Anthony  
Bacon  
Bankhead  
Beck, Pa.  
Begg  
Boies  
Bowles  
Bowman  
Boylan  
Brand, Ohio  
Bushong  
Butler  
Byrns  
Campbell  
Carew  
Carley  
Carter  
Casey  
Celler  
Chindblom  
Clarke  
Cohen  
Cole, Md.  
Combs  
Connally, Tex.  
Connery  
Connolly, Pa.  
Cooper, Ohio  
Crall  
Cullin  
Curry  
Davenport  
Dempsey  
Denison  
Dickstein  
Douglas, Ariz.

Doutrich  
Doyle  
Dyer  
Eaton  
Estep  
Evans, Calif.  
Evans, Mont.  
Fenn  
Fish  
Fitzpatrick  
Fletcher  
Foss  
Frear  
Fulbright  
Garner, Tex.  
Garrett, Tex.  
Gifford  
Gilbert  
Golder  
Goldsborough  
Graham  
Griest  
Hall, N. Dak.  
Hammer  
Hawley  
Hersey  
Hogg  
Hudson  
Hull, Wm. E.  
Hull, Tenn.  
Igoe  
Jacobstein  
James  
Johnson, Ill.  
Johnson, S. Dak.  
Johnson, Wash.  
Kearns  
Kindred

King  
Kopp  
Kunz  
Kurtz  
Kvale  
Leech  
Lehlbach  
Linthicum  
Lozier  
McClintic  
McLaughlin  
McSwain  
McSweeney  
Maas  
Manlove  
Mansfield  
Martin, Mass.  
Mooney  
Moore, N. J.  
Moore, Va.  
Moorman  
Morin  
Murphy  
Nelson, Wis.  
Norton, N. J.  
O'Connell  
O'Connor, N. Y.  
Oliver, N. Y.  
Palmer  
Palmisano  
Parks  
Pou  
Prall  
Quayle  
Rayburn  
Reece  
Reed, Ark.  
Reed, N. Y.

Robson, Ky.  
Rowbottom  
Sears, Nebr.  
Shallenberger  
Shreve  
Sirovich  
Somers, N. Y.  
Stevenson  
Strong, Pa.  
Strother  
Sullivan  
Swing  
Tatgenhorst  
Taylor, Tenn.  
Thatcher  
Tillman  
Tinkham  
Treadway  
Tucker  
Underhill  
Underwood  
Updike  
Vestal  
Vincent, Iowa  
Weaver  
Welch, Calif.  
Weller  
Welsh, Pa.  
White, Kans.  
White, Me.  
Williams, Tex.  
Wilson, Miss.  
Winter  
Wood  
Woodrum  
Yates  
Zihlman

So the amendment was agreed to.

The Clerk announced the following pairs:

Mr. McClintic (for) with Mr. Martin of Massachusetts (against).  
Mr. Stevenson (for) with Mr. Griest (against).  
Mr. Tillman (for) with Mr. Kurtz (against).  
Mr. Cohen (for) with Mr. Leech (against).  
Mr. Wilson of Mississippi (for) with Mr. Chindblom (against).  
Mr. Garner (for) with Mr. Aldridge (against).

General pairs:

Mr. Johnson of South Dakota with Mr. Pou.  
Mr. Hawley with Mr. Hull of Tennessee.  
Mr. Fenn with Mr. Carew.  
Mr. Bacon with Mr. Connally of Texas.  
Mr. Hudson with Mr. Kindred.  
Mr. King with Mr. Moore of Virginia.  
Mr. Manlove with Mr. Cullen.  
Mr. Evans of California with Mr. Parks.  
Mr. Murphy with Mr. Gilbert.  
Mr. Denison with Mr. Boylan.  
Mr. Connolly of Pennsylvania with Mr. Moorman.  
Mr. Begg with Mr. O'Connell.  
Mr. Frear with Mr. Fletcher.  
Mr. Gifford with Mr. Hammer.  
Mr. Beck of Pennsylvania with Mr. Quayle.  
Mr. Johnson of Illinois with Mr. Woodrum.  
Mr. Graham with Mr. O'Connor of New York.  
Mr. Kearns with Mr. Tucker.  
Mr. Thatcher with Mr. Mooney.  
Mr. Shreve with Mr. Prall.  
Mr. Vestal with Mr. Reed of Arkansas.  
Mr. Foss with Mr. Byrns.

Mr. Golder with Mr. Connery.  
Mr. Hall of North Dakota with Mr. Moore of New Jersey.  
Mr. Browning with Mr. Weller.  
Mr. Campbell with Mr. Sullivan.  
Mr. Cooper of Ohio with Mr. Kunz.  
Mr. Johnson of Washington with Mr. Casey.  
Mr. Crall with Mr. Bankhead.  
Mr. Kopp with Mr. Mansfield.  
Mr. Curry with Mr. Douglas of Arizona.  
Mr. McLaughlin with Mr. Oliver of New York.  
Mr. Dempsey with Mr. Garrett of Texas.  
Mr. Swing with Mr. Rayburn.  
Mr. Reed of New York with Mr. Stedman.  
Mr. Robson of Kentucky with Mr. Igoe.  
Mr. Taylor of Tennessee with Mr. Underwood.  
Mr. Welsh of Pennsylvania with Mr. Doyle.  
Mr. Treadway with Mr. Weaver.  
Mr. Wood with Mr. Linthicum.  
Mr. Underhill with Mr. Williams of Texas.  
Mr. White of Maine with Mr. Somers of New York.  
Mr. Yates with Mr. Fulbright.  
Mr. Tinkham with Mr. Evans of Montana.  
Mr. Strong of Pennsylvania with Mr. Dickstein.  
Mr. Reece with Mr. Carley.  
Mr. Nelson of Wisconsin with Mr. Cole of Maryland.  
Mr. Dyer with Mr. Lozier.  
Mr. Eaton with Mr. McSwain.  
Mr. Bowles with Mr. Celler.  
Mr. Clarke with Mr. Fitzpatrick.  
Mr. Davenport with Mr. Palmisano.  
Mr. Lehlbach with Mr. Sirovich.  
Mr. James with Mr. Goldsborough.  
Mr. Zihlman with Mr. Jacobstein.  
Mr. Tatgenhorst with Mr. Shallenberger.  
Mr. Rowbottom with Mr. McSwain.  
Mr. Estep with Mr. Kvale.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time.

Mr. LAGUARDIA. Mr. Speaker, I have a motion recommit. I move to recommit the bill to the Committee on Appropriations with instructions to return it forthwith with the following amendment to be added to the LaGuardia amendment.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. LAGUARDIA. I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. LAGUARDIA moves to recommit the bill to the Committee on Appropriations with instructions to that committee to report the same forthwith, with the following amendment to be added to the LaGuardia amendment:

"On page 46, 'and that no part of the moneys herein appropriated for the Naval Establishment or herein made available therefor shall be used or expended under contract hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when such repair, purchase, acquirement, or production would result in a saving in cost to the Government.'"

Mr. FRENCH. Mr. Speaker, I make a point of order against the motion on the ground that it is legislation, and that it is a matter that has been passed upon twice. It is in almost the identical language that has been read heretofore and ruled out, as I caught the language.

Mr. LAGUARDIA. Mr. Speaker, it is not the same amendment as that which was declared out of order. It is taken from the present law.

Mr. BLANTON. Mr. Speaker, I make a further point of order, if the Chair will permit me. It interferes with the discretion that is lodged in the officers of the Government.

Mr. LAGUARDIA. It is the existing law.

Mr. DALLINGER. Mr. Speaker, I just want to call the Chair's attention to the fact that this is from the law of 1926, and in it the words "in the judgment or discretion of the Secretary of the Navy," which was the ground for ruling it out in the Committee of the Whole, do not occur. They are stricken out.

Mr. LAGUARDIA. And it provides for a saving to the Government, clearly.

Mr. TABER. But the language of the act of 1926 was thrown out.

Mr. LAGUARDIA. That is the law.

Mr. TABER. There is no law for it.

Mr. BLANTON. That was clearly an annual appropriation act.

Mr. TABER. Mr. Speaker, may I be heard?

The SPEAKER. The Chair will be glad to hear the gentleman.

Mr. TABER. Mr. Speaker, this provision is contrary to every provision of affirmative law in the code. The language itself that is carried in the bill, which was carried in an appropriation bill, applied specifically only to the appropriations carried in that particular bill. So there is no precedent for ruling it in order.

Mr. LAGUARDIA. There is a saving involved. It is purely a limitation.

Mr. BLANTON. That saving would require a computation. It is absolutely indefinite.

Mr. TABER. It imposes additional duties on the part of the department, and you must show a saving.

Mr. LAGUARDIA. It is specifically provided that the saving is shown.

Mr. TABER. It is contrary to the law requiring competition.

Mr. GARRETT of Tennessee. The amendment itself does not show that it will impose any new duty.

Mr. TILSON. It puts it up to an officer of the department to ascertain whether there is a saving or not.

The SPEAKER. The Chair, after reading the amendment of the gentleman from New York [Mr. LAGUARDIA], finds that the only change made in the latter part of the section is that he strikes out the words "in the judgment of the Secretary of the Navy," and the words "not involve an appreciable increase" are stricken out and the words "result in a saving" are inserted. It was ruled out in the committee. Of course, it is conceded that the matter as carried in the bill is subject to a point of order. Now, the Chair is called upon to decide whether striking out of the words "Secretary of the Navy" and the substitution of the words "result in a saving" in lieu of the words "not involve an appreciable increase" do not make any change in the fact that on some official is imposed an additional duty of determining whether or not there is a saving.

The Chair clearly thinks that the striking out of the words "Secretary of the Navy" does not change the situation in that regard. The Chair sustains the point of order.

The question is, Shall the bill pass?

The question was taken, and the bill was passed.

On motion of Mr. FRENCH, a motion to reconsider the last vote was laid on the table.

#### ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 13484. An act authorizing preliminary examinations of sundry streams with a view to the control of their floods, and for other purposes;

H. R. 13502. An act authorizing the State of Minnesota and the State of Wisconsin to construct, maintain, and operate a free highway bridge across the St. Croix River at or near Stillwater, Minn.;

H. R. 14146. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a free highway bridge across the Monongahela River in the city of Pittsburgh, Allegheny County, Pa.;

H. R. 14164. An act granting the consent of Congress to the city of Knoxville, Tenn., to construct, maintain, and operate a free highway bridge across the Tennessee River at or near Henley Street in Knoxville, Knox County, Tenn.;

H. R. 14451. An act to revive and reenact the act entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania";

H. R. 14460. An act authorizing the Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Sioux City, Iowa;

H. R. 14469. An act granting the consent of Congress to the county of Allegheny, Pa., to construct a bridge across the Youghiogheny River between the borough of Versailles and the village of Boston, in the township of Elizabeth, Allegheny County, Pa.;

H. R. 14481. An act granting the consent of Congress to the Chicago South Shore & South Bend Railroad to construct, maintain, and operate a railroad bridge across the Grand Calumet River at East Chicago, Ind.;

H. R. 14919. An act granting the consent of Congress to the commissioners of Mahoning County, Ohio, to construct, maintain, and operate a free highway bridge across the Mahoning River at or near Cedar Street, Youngstown, Mahoning County, Ohio;

H. R. 15072. An act to extend the times for commencing and completing the reconstruction of the bridge across the Grand Calumet River at Burnham Avenue, in Cook County, Ill.;

H. R. 15084. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near Reedsdale Street in the city of Pittsburgh, Allegheny County, Pa.;

H. R. 15269. An act to extend the times for commencing and completing the construction of a bridge across the Red River at or near Coushatta, La.;

H. R. 15427. An act authorizing and directing the Secretary of War to lend to the Governor of North Carolina 300 pyramidal tents, complete; 9,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; and 9,000 bed sheets, to be used at the encampment of the United Confederate Veterans to be held at Charlotte, N. C., in June, 1929; and

H. R. 15470. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a free highway bridge across the Cumberland River in the vicinity of Harts Ferry, Trousdale County, Tenn.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3581. An act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President for his approval bills of the House of the following titles:

H. R. 11526. An act to authorize the construction of certain naval vessels, and for other purposes;

H. R. 15657. An act to provide for the improvement and preservation of the land and buildings of the Abraham Lincoln National Park or Reservation; and

H. R. 16208. An act authorizing the Cedar Point Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the southeast arm of Sandusky Bay at or near Sandusky, Ohio.

#### EXTENSION OF REMARKS

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the Cavalry in the Army by inserting, among other things, an editorial from one of the Washington newspapers.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks on the subject of the Cavalry by printing an editorial published in one of the Washington papers. Is there objection?

Mr. SPROUL of Illinois. I object.

The SPEAKER. Objection is heard.

#### DEATH OF FORMER REPRESENTATIVE EDWIN S. UNDERHILL

Mr. STALKER. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STALKER. Mr. Speaker, it is my painful duty to announce the sudden death of a former Member of this House, the Hon. Edwin S. Underhill, of New York. Mr. Underhill was for many years an influential and valuable Member of this House.

He had the confidence and friendship of the membership on both sides of the aisle.

In making this sad announcement, I am announcing the death of a very warm personal friend, and my feelings will be shared by many of the older Members of this House.

#### DEATH OF FORMER REPRESENTATIVE EDWIN DENBY

Mr. CLANCY. Mr. Speaker, it is with deep sorrow that I rise to announce the death this morning of a friend and constituent of mine, a former Member of this House and a former Secretary of the Navy, Hon. Edwin Denby.

By coincidence the death of this man, who enlisted in the Marine Corps as a private in the Great War and who later served as head of the Navy Department, is announced while the House is considering the great Navy appropriation bill to preserve and develop the Navy, which he loved as the apple of his eye.

My statement must be brief, but I believe it proper to note in the RECORD now that Mr. Denby was of a noble cast of mind and that his sufferings as a public servant contributed to his early death. Both as a Congressman and as a Cabinet officer he endured the outrageous flings of political fortune.



But both friend and foe have always given Mr. Denby credit for absolute honesty, unflinching integrity, the highest patriotism, and utterly unselfish ideals of service. Added to this, he had a lovable personality. His geniality and kindness set off well his huge physical stature.

In Detroit, where the people knew him well and all of his life, both public and private, was known and understood, he was well beloved.

ALCATRAZ SQUARE, SAN FRANCISCO, CALIF.

Mrs. KAHN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting resolutions passed by the board of supervisors of the city and county of San Francisco, which explain a bill which I have introduced.

The SPEAKER. The lady from California asks unanimous consent to extend her remarks in the manner indicated. Is there objection?

There was no objection.

Mrs. KAHN. Mr. Speaker, under leave granted me to extend my remarks in the RECORD I insert the following resolutions passed by the Board of Supervisors of the City and County of San Francisco:

Resolution 30107 (new series)

Whereas the city and county of San Francisco, as the successor of the Mexican pueblo known as Yerba Buena, and afterwards San Francisco, became entitled to the pueblo lands belonging to the said pueblo, and thereafter by ordinance duly and regularly passed (known as the Van Ness ordinance) granted to the respective parties in possession at a given date title to certain portions of said land; and

Whereas a part of said lands so granted consisted of the area of about 100 acres embracing the present site of Fort Mason and lands contiguous thereto west of Van Ness Avenue; and

Whereas thereafter the Supreme Court of the State of California validated the said Van Ness ordinance and confirmed the titles thereunder; and

Whereas the grantees of said city, holding the title of said city to such lands, and their successors in interest, improved many parts of the said property and were in possession thereof in undisputed claim and right; and

Whereas the city of San Francisco reserved two square blocks of said pueblo land for a park, known as Alcatraz Square; and

Whereas, in 1863, the Secretary of War directed the commanding general at San Francisco to take possession of said 100 acres and fortify the same in whole or in part as a war emergency measure in anticipation of privateer attack on San Francisco, and in pursuance of said direction the occupants of said 100 acres of land were dispossessed by the military authorities without compensation and as a war emergency, and referred for relief to Washington; and

Whereas the dispossessed owners, subsequent to the war, appealed to Congress for relief, and thereafter Congress, by an act passed in 1870, restored about 50 acres of said land to the owners thereof, but no relief was given to the other grantees of said city, though entitled thereto; and

Whereas it is to the interest of the city of San Francisco that the areas involved should be restored to the rightful owners to be made the site of homes, and the city should repossess itself of said Alcatraz Square and enlarge its park areas if the city so desires; and

Whereas the State of California did, on February 14, 1901, after a careful investigation of the facts and records, memorialize the Congress of the United States to enact relief legislation for the benefit of Mrs. Jessie Benton Fremont: Now, therefore, be it

*Resolved*, That the city and county of San Francisco, through the board of supervisors thereof, do hereby respectfully memorialize the National Congress to enact the proper legislation like unto that of said act of 1870 restoring the balance of said land to the parties entitled thereto or their successors in interest; and

*Resolved further*, That the mayor and the clerk of this board send a copy of this resolution to the Hon. HIRAM W. JOHNSON and the Hon. SAMUEL M. SHORTRIDGE, United States Senators from California, and to the respective Congressmen from California, with the request that they cooperate in all proper ways to the securing of such legislation.

Adopted: Board of supervisors, December 17, 1928.

Ayes: Supervisors Andriano, Colman, Havener, Hayden, Kent, Marks, McGovern, McSheehy, Powers, Roncovieri, Schmidt, Shannon, Stanton, Suhr, Todd, Toner, 16.

Absent: Supervisors Deasy, Gallagher, 2.

J. S. DUNNIGAN, Clerk.

Approved, San Francisco, December 17, 1928.

JAMES ROLPH, Jr., Mayor.

#### DECEASED MEMBERS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Referring to the announcement of the death of a former Member by the gentleman from New York [Mr. STALKER], I want to suggest that Members in making such announcements will do well to give the date of the death of the persons referred to. I am helping to gather data for the compiling of this new biographical directory of former Members of the House, and I find it is extremely difficult to get information in certain cases on account of the fact that announcements frequently overlook that feature and fail to give the date of death.

Mr. STALKER. Mr. Underhill, of New York, died on February 7.

#### LEAVE OF ABSENCE

By unanimous consent, Mr. REED of New York (at the request of Mr. TABER) was granted leave of absence, on account of the death of a business associate.

#### ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 39 minutes p. m.) the House adjourned until to-morrow, Saturday, February 9, 1929, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, February 9, 1929, as reported to the floor leader by clerks of the several committees:

##### COMMITTEE ON RIVERS AND HARBORS

(10.30 a. m.)

To authorize the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor (S. 1710).

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

S12. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the General Accounting Office for the fiscal years 1929 and 1930 in the amount of \$10,800 (H. Doc. No. 565); to the Committee on Appropriations and ordered to be printed.

S13. A communication from the President of the United States, transmitting supplemental and deficiency estimates of appropriations for the District of Columbia for 1928 and prior fiscal years, \$85,951.26; for the fiscal year 1929, \$405,910.89; and for the fiscal year 1930, \$16,600, amounting in all to \$508,462.15 (H. Doc. No. 566); to the Committee on Appropriations and ordered to be printed.

S14. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Department of Justice for the fiscal year 1929 amounting to \$38,000 (H. Doc. No. 567); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GRAHAM: Committee on the Judiciary. S. 5181. An act to amend section 4 of the act of June 15, 1917 (40 Stat. p. 224; sec. 241, title 22, U. S. C.); without amendment (Rept. No. 2430). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 11802. A bill establishing under the jurisdiction of the Department of Justice a division of the Bureau of Investigation to be known as the division of identification and information; without amendment (Rept. No. 2431). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 14931. A bill to amend section 93 of the Judicial Code establishing the judicial district of Nebraska; without amendment (Rept. No. 2432). Referred to the House Calendar.

Mr. GRAHAM: Committee on the Judiciary. H. R. 16314. A bill to amend section 198 of the Code of Law for the District of Columbia; without amendment (Rept. 2433). Referred to the House Calendar.

Mr. BRITTEN: Committee on Naval Affairs. H. R. 16839. A bill to provide for investigation of sites suitable for the estab-

ishment of a naval airship base; without amendment (Rept. No. 2434). Referred to the House Calendar.

Mr. ZIHLMAN: Committee on the District of Columbia. S. 4125. An act to amend chapter 15 of the Code of Law for the District of Columbia, and for other purposes; without amendment (Rept. No. 2439). Referred to the House Calendar.

Mr. ZIHLMAN: Committee on the District of Columbia. S. 4441. An act to amend the laws relating to assessment and collection of taxes in the District of Columbia, and for other purposes; with amendment (Rept. No. 2440). Referred to the House Calendar.

Mr. GRAHAM: Committee on the Judiciary. H. R. 16394. A bill to authorize the United States to be made a party defendant in any suit or action which may be commenced by the State of Oregon in the United States District Court for the District of Oregon, for the determination of the title to all or any of the lands constituting the beds of Malheur and Harney Lakes in Harney County, Oreg., and lands riparian thereto, and to all or any of the waters of said lakes and their tributaries, together with the right to control the use thereof, authorizing all persons claiming to have an interest in said land, water, or the use thereof to be made parties or to intervene in said suit or action, and conferring jurisdiction on the United States courts over such cause; with amendment (Rept. No. 2441). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. RANSLEY: Committee on Military Affairs. H. R. 2436. A bill for the relief of Harvey H. Goyer; without amendment (Rept. No. 2422). Referred to the Committee of the Whole House.

Mr. BOYLAN: Committee on Military Affairs. H. R. 2441. A bill for the relief of William P. Brady; without amendment (Rept. No. 2423). Referred to the Committee of the Whole House.

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 10824. A bill for the relief of Edward H. Cotcher; without amendment (Rept. No. 2424). Referred to the Committee of the Whole House.

Mr. GARRETT of Texas: Committee on Military Affairs. H. R. 14767. A bill for the relief of Howard C. Frink; without amendment (Rept. No. 2425). Referred to the Committee of the Whole House.

Mr. McSWAIN: Committee on Military Affairs. H. R. 15029. A bill for the relief of Edward A. Burkett; without amendment (Rept. No. 2426). Referred to the Committee of the Whole House.

Mr. WARE: Committee on Claims. S. 2291. An act for the relief of certain seamen and any and all persons entitled to receive a part or all of money now held by the Government of the United States on a purchase contract of steamship *Orion* who are judgment creditors of the Black Star Line (Inc.) for wages earned; without amendment (Rept. No. 2435). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. H. R. 15449. A bill for the relief of Joel Townsend; with amendment (Rept. No. 2436). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 16837. A bill for the relief of C. J. Colville; without amendment (Rept. No. 2437). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 16958. A bill to provide an appropriation for the payment of claims of persons who suffered damages from deaths, personal injuries, or property loss due to an airplane accident at Langin Field, Moundsville, W. Va., July 10, 1921; without amendment (Rept. No. 2438). Referred to the Committee of the Whole House.

Mr. HUDSPETH: Committee on Claims. H. R. 6939. A bill for the relief of Thomas T. Grimsley; without amendment (Rept. No. 2442). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 7560. A bill for the relief of James P. Hamill; with amendment (Rept. No. 2443). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 12782. A bill for the relief of C. L. Beardsley; with amendment (Rept. No. 2444). Referred to the Committee of the Whole House.

Mr. ROY G. FITZGERALD: Committee on Claims. H. R. 15288. A bill for the relief of Angelo Cerri; without amendment (Rept. No. 2445). Referred to the Committee of the Whole House.

#### ADVERSE REPORTS

Under clause 2 of Rule XIII,

Mr. SINCLAIR: Committee on War Claims. H. R. 6538. A bill to reimburse Lieut. Col. Charles F. Sargent; adverse (Rept. No. 2427). Laid on the table.

Mr. PEAVEY: Committee on War Claims. H. R. 7987. A bill for the relief of W. H. Fisher; adverse (Rept. No. 2428). Laid on the table.

Mr. SINCLAIR: Committee on War Claims. H. R. 12637. A bill granting jurisdiction to the Court of Claims to hear the case of David A. Wright; adverse (Rept. No. 2429). Laid on the table.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BACHMANN: A bill (H. R. 16981) authorizing the city of Wheeling, W. Va., to construct, maintain, and operate a free highway bridge across the Ohio River at or near Wheeling, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. McDUFFIE: A bill (H. R. 16982) authorizing J. E. Robinson, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Tombigbee River at or near Coffeeville, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. VINCENT of Iowa: A bill (H. R. 16983) authorizing the cities of Omaha, Nebr., and Council Bluffs, Iowa, either independently or both jointly to purchase, to consider, or to construct, and to reconstruct, extend, enlarge, maintain, and operate one or more toll or free bridges, not exceeding three, across the Missouri River at or near said cities or to assign such rights to others, and providing the conditions to the exercise of such powers; to the Committee on Interstate and Foreign Commerce.

By Mr. BUTLER: A bill (H. R. 16984) providing for the final enrollment of the Indians of the Klamath Indian Reservation in the State of Oregon; to the Committee on Indian Affairs.

By Mr. COLTON: A bill (H. R. 16985) authorizing the Uintah, Uncompahgre, and the White River Bands of the Ute Indians in Utah and Colorado and the Southern Ute and the Ute Mountain Bands of Ute Indians in Utah, Colorado, and New Mexico to sue in the Court of Claims; to the Committee on Indian Affairs.

By Mr. COLLINS: A bill (H. R. 16986) to provide for the establishment of a branch home of the National Home for Disabled Volunteer Soldiers in the State of Mississippi; to the Committee on Military Affairs.

By Mr. DRANE: A bill (H. R. 16987) for the control of floods in the Caloosahatchee River and Lake Okeechobee drainage areas, Florida, and for other purposes; to the Committee on Flood Control.

By Mr. ESTEP: A bill (H. R. 16988) to legalize the sewer outlet in the Allegheny River at Thirty-second Street, Pittsburgh, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. HANCOCK: A bill (H. R. 16989) authorizing the payment of paving assessment in the city of Syracuse, N. Y.; to the Committee on Claims.

By Mr. SUTHERLAND: A bill (H. R. 16990) validating certain applications for and entries of public lands; to the Committee on the Public Lands.

By Mr. TAYLOR of Colorado: A bill (H. R. 16991) to add certain lands to the Holy Cross National Forest, Colo.; to the Committee on the Public Lands.

By Mr. BLACK of New York: Resolution (H. Res. 310) to investigate warning as to speculative loans issued by Federal Reserve Board; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 16992) granting an increase of pension to Isabella Shields; to the Committee on Invalid Pensions.

By Mr. DOUTRICH: A bill (H. R. 16993) granting an increase of pension to Priscilla Pye; to the Committee on Invalid Pensions.

By Mr. KELLY: A bill (H. R. 16994) granting a pension to Maggie Rachael Wilt; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 16995) granting an increase of pension to Sadie J. Daymude; to the Committee on Invalid Pensions.



Also, a bill (H. R. 16996) granting an increase of pension to Emma E. Kerr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16997) granting a pension to Sarah A. Welsh; to the Committee on Invalid Pensions.

By Mr. O'CONNOR of Louisiana: A bill (H. R. 16998) for the relief of Clayton M. Thomas; to the Committee on Military Affairs.

By Mr. REED of New York: A bill (H. R. 16999) granting an increase of pension to Agnes A. Tiffin; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 17000) granting an increase of pension to Nancy M. Hinkley; to the Committee on Invalid Pensions.

By Mr. WOODRUFF: A bill (H. R. 17001) for the relief of Capt. Walter R. Gherardi, United States Navy; to the Committee on Naval Affairs.

By Mr. WYANT: A bill (H. R. 17002) granting a pension to Annie M. Kinsel; to the Committee on Invalid Pensions.

By Mr. W. T. FITZGERALD: Resolution (H. Res. 311) that the sum of \$1,000 be paid to Margaret Elma Naylor for extra and expert services to the Committee on Invalid Pensions; to the Committee on Accounts.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

9804. Resolution of the Winnebago County Bar Association, urging location of United States district court at Rockford, Ill.; to the Committee on the Judiciary.

9805. Petition of Active Republican Club (Inc.), fifth assembly district, New York, urging legislation by the Congress that will eliminate the traffic in narcotics; to the Committee on Ways and Means.

9806. By Mr. BLOOM: Petition of the New York State Fish, Game, and Forest League, indorsing the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

9807. Also, petition of executive committee of the Garden Club of America, indorsing the Norbeck game refuge bill (S. 2171); to the Committee on Agriculture.

9808. By Mr. BOHN: Petition of 20 members of the Methodist Episcopal Church of Pickford, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9809. By Mr. BOIES: Petition of the pastor and 300 members of the Presbyterian Church at Battle Creek, Iowa, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9810. By Mr. BOYLAN: Resolution adopted by Active Republican Club of New York City, favoring legislation prohibiting the peddling of narcotics; to the Committee on Interstate and Foreign Commerce.

9811. By Mr. CULLEN: Petition of the Garden Club of America, indorsing the Norbeck game refuge bill; to the Committee on Agriculture.

9812. Also, petition of the members of the General Henry W. Lawton Camp, No. 21, Department of New York United Spanish War Veterans, urging favorable consideration of House bill 14676, granting pensions and increase of pensions to certain soldiers, sailors, marines, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition; to the Committee on Pensions.

9813. By Mr. DOUTRICH: Petition of 170 members of Grace Evangelical Church, Millersburg, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9814. Also, petition of 106 citizens of the eighteenth congressional district of the State of Pennsylvania, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9815. By Mr. ESLICK: Petition of the Woman's Christian Temperance Union of Columbia, Tenn., membership 85, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9816. By Mr. GARBER: Petition of Albert E. Niehus, in support of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

9817. Also, petition of Mrs. E. H. Peine, Blackwell, Okla., in support of the Norbeck bird conservation bill (S. 1271); to the Committee on Agriculture.

9818. By Mr. GIBSON: Petition of 56 citizens of the second congressional district of the State of Vermont, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9819. By Mr. GREENWOOD: Petition of members of the First Presbyterian Church, Vincennes, Ind., 500 strong, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9820. By Mr. HANCOCK: Petition of 26 citizens of Cortland County, Cincinnatus, N. Y., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9821. By Mr. HOFFMAN: Petition of 36 citizens of third congressional district of New Jersey, urging that no change be made in tariff on hides and leathers; to the Committee on Ways and Means.

9822. Also, petition of 14 citizens of Highland, N. J., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9823. Also, petition of 40 citizens of Middlesex County, N. J., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9824. Also, petition of 27 citizens of Perth Amboy, N. J., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9825. Also, petition of 25 citizens of Cranberry, N. J., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9826. Also, petition of 60 citizens of Jamesburg and vicinity, in the State of New Jersey, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9827. Also, petition of 53 citizens of Neptune City, N. J., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9828. Also, petition of 39 citizens of Long Branch, N. J., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9829. By Mr. HUDSON: Petition of 45 citizens of Davisburg, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford Sunday rest bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9830. Also, petition of 63 citizens of Dansville, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9831. Also, petition of 22 members of the Emmanuel Baptist Church, of Flint, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9832. Also, petition of 61 members of the First Evangelical Church of Flint, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of

Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9833. Also, petition of 26 members of the First Baptist Church of Holly, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9834. Also, petition of 33 members of the Kearsley Park Evangelical Church, of Flint, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9835. Also, petition of 24 members of the Long Lake Methodist Episcopal Church, of Long Lake, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided by the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9836. Also, petition of nine members of the Methodist Episcopal Church of South Mundy, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9837. Also, petition of 14 members of the Methodist Episcopal Church of Grand Blanc, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9838. Also, petition of 22 members of the Clyde Methodist Episcopal Church, of Clyde, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9839. Also, petition of 18 members of the Methodist Episcopal Church of Gaines, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9840. Also, petition of 66 members of the Methodist Episcopal Church of Linden, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9841. Also, petition of 10 members of the First Baptist Church of Fenton, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9842. Also, petition of 21 members of the First Baptist Church of Rochester, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9843. Also, petition of Mary C. Street and B. T. Street, both of Fenton, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided by the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9844. By Mr. KEARNS: Petition of the Women's Christian Temperance Union, consisting of 42 members, Hillsboro, Ohio, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9845. By Mr. KELLY: Petition of the teacher and 14 members of the Young Ladies' Class of the United Presbyterian Church, Swissvale, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9846. Also, petition of 64 citizens of the thirty-third congressional district of the State of Pennsylvania, urging the enactment of legislation to protect the people of the Nation's Capital

in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9847. By Mr. KIESS: Petition from citizens of Avie, Pa., favoring the passage of House bill 78, introduced by Representative LANKFORD; to the Committee on the District of Columbia.

9848. Also, petition of 29 citizens of Emporium, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9849. Also, petition of 24 citizens of Lock Haven, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9850. Also, petition of 102 citizens of Jersey Shore, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9851. Also, petition of 650 members of Lycoming Presbyterian Church, Williamsport, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9852. Also, petition of 94 citizens of Williamsport, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9853. By Mr. LINDSAY: Petition of John Earl, John Hynes, and Edward Graham, citizens of Brooklyn, N. Y., a committee representing the American Wire Weavers' Protective Association, makers of Fourdrinier wire cloth, representing one of the oldest trades in America, praying that earnest consideration and support be given to recommendations presented by the president of the executive board at hearings on January 16, 1929, before the Ways and Means Committee on metal manufactures, petitioning that adequate protection be given this industry; to the Committee on Ways and Means.

9854. By Mr. LINTHICUM: Petition of medical and surgical faculty of the State of Maryland, opposing Sheppard-Towner-Newton bill on child welfare; to the Committee on Interstate and Foreign Commerce.

9855. Also, petition of Peabody Piano Co., Baltimore, Md., opposing House bill 13452, which aims to increase royalties on phonograph records; to the Committee on Patents.

9856. Also, petition of Dr. H. S. Willis, Johns Hopkins Hospital, and Dr. Thomas R. Boggs, Baltimore, Md., urging granting of pension to Mrs. Joseph Goldberger, widow of Doctor Goldberger, late of the Public Health Service; to the Committee on Pensions.

9857. Also, petition of N. S. Kenney, F. J. Le Moyne, U. O. Michaels, Bacharach Rasin Co., M. Champlin Robinson, James Bailey & Son, F. M. MacDonald, Canton National Bank, James Stuart Lowry, R. U. Darby, J. P. Pfeiffer & Son, J. William Middendorf & Sons, B. Howell Griswold, jr., Sherwood Bros., W. W. Seward, M. E. Townner, D. K. Este Fisher, Brinkmann & Co., and William M. Thornton, jr., all of Baltimore, Md.; Mrs. Ellen G. Robinson, Brooklandville, Md.; Elmer Haulenbeck, Oakland, Md.; Josiah A. Beck, Denton, Md.; and Copley Amory, Washington, D. C.; favoring passage of Norbeck game refuge bill; to the Committee on Agriculture.

9858. By Mr. LUCE: Petition of John F. Cavanaugh and Michael T. Cavanaugh, Framingham, Mass., protesting change in duty on hides and leather; to the Committee on Ways and Means.

9859. By Mr. McCORMACK: Petition of Mrs. Thomas F. Donovan, 764 Columbia Road, Dorchester, Mass., protesting vigorously against the Newton maternity bill and the equal rights amendment; to the Committee on the Judiciary.

9860. By Mr. MEAD: Petition of Buffalo Lumber Exchange; to the Committee on Ways and Means.

9861. Also, petition of New York State Fish, Game, and Forest League; to the Committee on Agriculture.

9862. By Mr. MICHENER: Petition of 45 members of the Evangelical Church of St. Rockwood, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9863. Also, petition of 56 members of the First Baptist Church of Milan, Mich., urging the enactment of legislation to protect



the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9864. Also, petition of 33 members of the Evangelical Church of Carlton, Mich., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9865. By Mr. MORROW: Petition of the pastor and 78 members of the Presbyterian Church of Alamogordo, N. Mex., urging the enactment of the Sunday observance bill for the District of Columbia, as provided in the Lankford bill (H. R. 78); to the Committee on the District of Columbia.

9866. By Mr. O'CONNELL: Petition of the Weatherbest Stained Shingle Co. (Inc.), Jackson Heights, Long Island, New York, opposing the lumber, log, and shingle tariff; to the Committee on Ways and Means.

9867. Also, petition of Philip A. Meckel, Woodhaven, Long Island, N. Y., favoring an amendment to paragraph 1671, schedule 15; to the Committee on Ways and Means.

9868. Also, petition of Mrs. David Holmes Morton, Brooklyn, N. Y., favoring the passage of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

9869. Also, petition of the Chamber of Commerce of the United States, favoring the passage of House bill 450; to the Committee on Military Affairs.

9870. Also, petition of Louis Eisman, of New York City; Mrs. L. J. Francke, of New York City; Robert J. Caldwell, New York City; and the Garden Club of America, New York City, favoring the passage of the game refuge bill (S. 1271); to the Committee on Agriculture.

9871. By Mr. PEAVER: Petition of 150 members of Methodist (German) Church, Merrill, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9872. Also, petition of 800 members of St. Stephens Episcopal Church, Merrill, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9873. Also, petition of 42 members of the Emmanuel Scandinavian Congregational Church, Merrill, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9874. By Mr. PERKINS: Petition of 80 members of Methodist Episcopal Church of Belvidere, N. J., suggesting a change in the preamble to the Constitution of the United States; to the Committee on the District of Columbia.

9875. Also, petition of 106 members of the Woman's Christian Temperance Union, Washington, N. J., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9876. By Mr. QUAYLE: Petition of C. Bruno & Son (Inc.), of New York City, opposing House bill 13452, to amend the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, as amended, in respect of mechanical reproduction of musical compositions, and for other purposes; to the Committee on Patents.

9877. Also, petition of Weatherbest Stained Shingle Co. (Inc.), of North Tonawanda, N. Y., opposing the lumber, log, and shingle tariff; to the Committee on Ways and Means.

9878. Also, petition of Buffalo Lumber Exchange, protesting against the proposal to place a duty on Canadian timber, lumber, lath, and shingles; to the Committee on Ways and Means.

9879. Also, petition of the Dana Natural History Society, of Albany, N. Y., favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

9880. Also, petition of the Washburn Crosby Co. (Inc.), New York City, N. Y., favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

9881. Also, petition of Anchor Cap & Closure Corporation, of Long Island City, N. Y., favoring the passage of House bill 12693, a bill which relates generally to standards for preserves, jellies, and other similar products; to the Committee on Agriculture.

9882. Also, petition of Robert Brautigam Co., of Brooklyn, N. Y., opposing the Timberlake resolution, having as its objective the

placing of certain restrictions and limitations on the free entry of Philippine sugar into this country; to the Committee on Ways and Means.

9883. Also, petition of the Dime Savings Bank of Brooklyn, N. Y., favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

9884. Also, petition of I. Rokeach & Sons (Inc.), of Brooklyn, N. Y., opposing any duty which may be proposed on soap-making oils and fats now on the free list; to the Committee on Ways and Means.

9885. Also, petition of Chamber of Commerce of the United States of America, Washington, D. C., favoring the passage of House bill 450, with authorizes educational or training orders as an essential feature of an effective program of industrial preparedness for national defense; to the Committee on Military Affairs.

9886. Also, petition of Benjul Music House, of Brooklyn, N. Y., opposing House bill 13452, to amend the act entitled "An act to amend and consolidate the acts respecting copyright"; to the Committee on Patents.

9887. Also, petition of Brotherhood of Painters, Decorators, and Paperhangers of America, Local Union No. 369, Washington, D. C., favoring the passage of Senate bill 4186, a bill to regulate the use of spray painting compressed air machines, and for other purposes; to the Committee on Labor.

9888. By Mr. RAMSEYER: Petition of the Methodist Episcopal Church of Kirkville, Iowa, with a membership of 143 present, unanimously petitioning to enact into a law the Lankford Sunday rest bill for the district of Columbia (H. R. 78) or similar measures; also

Sixteen citizens of Kirkville, Iowa, petitioning to enact into law the Lankford Sunday rest bill for the district of Columbia (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9889. By Mr. REED of New York: Petition of 120 members of the Woman's Christian Temperance Union and 40 members of the Baptist Church, Niobe, N. Y., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9890. By Mr. ROMJUE: Petition of W. W. Sears et al., Palmyra, Mo.; to the Committee on Ways and Means.

9891. By Mr. ROWBOTTOM: Petition of Indiana Farm Bureau Federation, in opposition to proposed tariff on Canadian lumber, shingles, and logs; to the Committee on Ways and Means.

9892. By Mr. SCHNEIDER: Petition of 500 members of First Presbyterian Church, Oconto, Wis., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9893. By Mr. SWICK: Petition of the Mahoningtown Presbyterian Church, 380 members, located at New Castle, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9894. Also, a petition of 71 citizens of the twenty-sixth congressional district of the State of Pennsylvania, urging the enactment of legislation to protect the people of the Nation's Capital in the enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9895. Also, petition of the Woman's Christian Temperance Union of Rochester, Beaver County, Pa., with a membership of 140, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9896. Also, petition of the Woman's Christian Temperance Union of Beaver, Beaver County, Pa., with a membership of 225, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9897. Also, petition of the Presbyterian Church of Slippery Rock, Pa., with a membership of 461, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9898. Also, petition of the Ladies' Aid Society of Vanport Presbyterian Church, membership of 15, urging the enactment

of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9899. Also, petition of 59 members of the Twentieth Century Club, Rochester, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9900. Also, petition of members (500 in number) of the Presbyterian Church of Ellwood City, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9901. Also, petition of the Presbyterian Church, 300 members, of Freedom, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9902. Also, petition of the Woman's Club of College Hill, Beaver Falls, Pa., having a membership of 100, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9903. By Mr. TAYLOR of Colorado: Petition from citizens of Eagle County, Colo., protesting against any legislation to abrogate the Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

9904. Also, petition from citizens of Rifle, De Beque, and Palisade, Colo., protesting against any legislation to abrogate the Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

9905. Also, petition from citizens of Aspen, Colo., protesting against any legislation to abrogate the Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

9906. Also, petition from citizens of Delta, Colo., protesting against any legislation to abrogate the Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

9907. Also, petition from citizens of Gunnison, Colo., protesting against any legislation to abrogate the Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

9908. Also, petition from citizens of Glenwood Springs, Colo., protesting against any legislation to abrogate the Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

9909. Also, petition from citizens of Leadville, Colo., protesting against any legislation to abrogate the Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

9910. Also, petition from citizens of Delta County, Colo., protesting against legislation to abrogate Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

9911. Also, petitions from citizens of Rico and Telluride, Colo., protesting against legislation to abrogate Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

9912. Also, petitions from citizens of Durango, Colo., protesting against any legislation to abrogate the Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

9913. By Mr. THOMPSON: Resolution of Cecil Institute, meeting at Cecil, Paulding County, Ohio, pertaining to legislation to remedy farming conditions; to the Committee on Agriculture.

9914. By Mr. WATSON: Petition of the members (90 in number) of the Presbyterian Church, Ivyland, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9915. Also, petition of 26 citizens of Springtown, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9916. Also, petition of 150 members of the Presbyterian Church and 13 members of the Woman's Missionary Society, Eddington, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9917. Also, petition of 26 citizens of Greenville, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven,

as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9918. Also, petition of 36 citizens of Hatboro, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9919. Also, petition of 127 citizens of Quakertown, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9920. Also, petition of 53 citizens of Norristown, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9921. Also, petition of 68 citizens of Ambler, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9922. Also, petition of 10 citizens of Conshohocken, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9923. Also, petition of 302 citizens of Bucks and Montgomery Counties, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9924. Also, petition of 75 citizens of Souderton, Pa., and vicinity, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9925. Also, petition of 65 citizens of North Wales, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9926. Also, petition of 25 citizens of Rahus and Collegeville, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9927. Also, petition of 22 citizens of Palm, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9928. Also, petition of 49 citizens of Perkasi, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9929. Also, petition of 18 citizens of Mill Hall, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9930. Also, petition of 101 citizens of Lansdale, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9931. Also, petition of 38 citizens of Bucks County, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9932. Also, petition of 30 citizens of Bristol, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9933. Also, petition of 843 members of the Central Presbyterian Church, Norristown, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the



Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9934. Also, petition of 1,050 members of the First Presbyterian Church, Norristown, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9935. Also, petition of 1,108 members of the Calvary Baptist Church, Norristown, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9936. Also, petition of 950 members of the Haws Avenue Methodist Episcopal Church, of Norristown, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9937. Also, petition of 19 citizens of Bristol, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9938. Also, petition of the Young Peoples Branch of the Woman's Christian Temperance Union, of Yardley, Pa., 37 members, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9939. Also, petition of the Woman's Christian Temperance Union (55 members), of Yardley, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9940. Also, petition of 35 members of the North Wales Woman's Christian Temperance Union, Mrs. William Craven, president, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9941. Also, petition of the Young Women's Christian Association of Norristown, Pa., with a membership of 22, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford Sunday rest bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9942. Also, petition of the Christ Reformed Church, Norristown, Pa., with a membership of 570, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9943. Also, petition of the Norristown branch of the Christian Endeavor, consisting of 23 societies, with a membership of 523, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9944. Also, petition of the First Baptist Church, of Norristown, Pa., with a membership of 575, and sponsored by the Woman's Christian Temperance Union, with a membership of 125, all urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9945. Also, petition of the members of All Saints' Parish, Norristown, Pa., a total of 400, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

9946. Also, petition of 700 members of the First Methodist Episcopal Church of Norristown, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9947. Also, petition of 375 members of the Bethany Evangelical Church of Norristown, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9948. Also, petition of 100 members of the Church of the Brethren of Norristown, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9949. Also, petition of 85 members of the Lansdale Church, of which Rev. C. E. Ryder is the pastor, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9950. Also, petition of 20 members of the Collegeville Branch of the Woman's Christian Temperance Union, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford rest bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9951. Also, petition of 65 members of the Ladies' Aid Society of Trinity Reformed Church, Collegeville, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9952. Also, petition of 63 members of the Women's Missionary Society, Collegeville, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford Sunday bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9953. Also, petition of 47 members of the Women's Christian Temperance Union of Churchville, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9954. Also, petition of 30 citizens of the ninth district, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9955. Also, petition of 30 members of the Philathea Bible Class of the Reformed Church, Churchville, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9956. Also, petition of 45 members of the Women's Bible Class of the Methodist Church, Lansdale, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9957. Also, petition of 80 members of the Men's Bible Class of the Methodist Episcopal Church of Lansdale, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9958. Also, petition of 70 members of the Women's Christian Temperance Union of Bristol, Pa., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9959. Also, petition of 77 citizens of the ninth congressional district of Pennsylvania, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

9960. By Mr. WILLIAMSON: Petition of the pastor, trustees, and 400 members of the Presbyterian Church, Lemmon, S. Dak., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.